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ORGANIZATION, ADMINISTRATION, AND BUDGETING POLICY

A Study Prepared by the Staff of the
Public Land Law Review Commission

Volume I
Report

Project Officer:
Perry D. Hagenstein

Consultants:
Owen Stratton
Donald G. Balmer
Robert Marty
Jeanne Nienaber
Aaron Wildavsky
Wesley Calef

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The opinions, findings, conclusions and data expressed in this publication are those of the authors and not necessarily those of the Public Land Law Review Commission.

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FOREWORD

This manuscript is one of a series which was prepared for the Public Land Law Review Commission as part of its data base in forming the recommendations for future public land policies that have been forwarded to Congress and the President of the United States in our report titled One Third of the Nation's Land.[1]

In establishing the Public Land Law Review Commission in September 1964, Congress declared the following policy: That the public lands of the United States shall be (a) retained and managed or (b) disposed of, all in a manner to provide the maximum benefit for the general public. It also directed that a comprehensive review be made of the public land laws and the related administrative rules and regulations to determine whether and to what extent revisions are necessary to accomplish the stated policy objective.

Considerable evidence pointed to the need for such a review. Dating back in some cases to the birth of the nation, our public land laws have developed over a long period of years through a series of Acts of Congress which are not fully correlated with each other. Administration of the public lands and the related laws has been divided among several agencies of the Federal Government. Quite possibly, these laws and the manner in which they are administered may be inconsistent with one another and inadequate to meet the current and future needs of the American people.

The Commission was instructed to:

1. Study existing statutes and regulations governing the retention, management, and disposition of the public lands;
2. Review the policies and practices of the Federal agencies charged with administrative jurisdiction over such lands insofar as such policies and practices relate to the retention, management, and disposition of those lands;

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[1] Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D. C. - Price $4.50.

3. Compile data necessary to understand and determine the various demands on the public lands which now exist within the foreseeable future; and

4. Recommend such modifications in existing laws, regulations, policies and practices as will, in the judgment of the Commission, best serve to carry out the policy objective.

To fulfill these requirements, the staff was charged with the responsibility of performing or having performed the appropriate research and of then presenting to the Commission all the information and data necessary as a foundation for the Commission's deliberations, conclusions and recommendations. A study program encompassing various subject areas was undertaken and separate manuscripts were prepared covering each of 33 separate topics.

In fulfillment of a policy of maintaining the smallest technical and professional staff possible, most of the studies were accomplished under contract with individuals, institutions such as universities, and research organizations; a few of the studies and analyses were accomplished in-house by the Commission staff, some with consultant assistance.

Thus, while we reviewed the whole body of public land laws at one time, each study was designed to examine only a portion of the public lands complex and should be utilized with this understanding. There is, therefore, an interrelationship among the studies and the resultant manuscripts that will require review and examination of more than one report in order to obtain a complete view of any one aspect of public land law and administration.

Each manuscript was transmitted from the staff with a letter discussing the content of the report and setting forth the policy matters to be considered with respect to the particular subject. A copy of the letter of transmittal for this report has been made a part of this volume in order to assist in the understanding of the approach.

These manuscripts served an extremely useful purpose in providing a common base for discussion in the Commission and between the Commission and its Advisory Council and the representatives of the 50 governors. We believe that they will also be valuable as reference works, not only on Federal public land matters but concerning all of our natural resources, for use by all levels of government -- Federal, state, and local -- and the academic community as well as those who are interested in the tremendous natural resources that we, as a nation, possess.

Wayne N. Aspinall

Wayne N. Aspinall
Chairman

Public Land Law Review Commission
1730 K Street, N.W.
Washington, D. C. 20006

November 1, 1970

Honorable Wayne N. Aspinall
Chairman
Public Land Law Review Commission
Washington, D. C. 20006

Dear Mr. Chairman:

Transmitted herewith is a study of Organization, Administration and Budgeting Policy for public land programs, prepared by our staff.

The report was originally submitted to you with our letter of January 7, 1970. After you made copies available to the members of the Commission and the Advisory Council and Governors' Representatives the manuscript was reviewed and comments were received from the latter two groups. These comments [1] were reviewed by the staff and those corrections deemed necessary have been incorporated in the study report as now published in two volumes by the National Technical Information Service.

The report deals with the organization of the Federal Government with respect to the administration of the public lands; the process of formulating the budget for public land programs in the context of the overall President's Budget; and problems that have arisen in the administration of the public lands as a result of organization, administration and budgeting policies of the Federal Government. It poses and describes the advantages and disadvantages of possible alternatives to existing policies.

The study includes several papers that were prepared by consultants relative to specific aspects of the overall subject. These papers, identified below, are included in the appendix.

- The Organization of Federal Public Land Management, by Owen S. Stratton, Wellesley College.
- The Use of Advisory Boards in the Administration of the Public Lands, by Donald G. Balmer, Lewis and Clark College.
- Federal Land Management Programs and Policy Evaluation, by Robert Marty, Michigan State University.

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[1] The comments referred to are part of the official files of the Commission. When the Commission ceases to exist these files will be deposited with the National Archives, Washington, D.C.

- On the Importance of Being Political: Traditional and Program Budgeting in the Allocation of Federal Recreation Resources, by Jeanne Nienaber and Aaron Wildavsky, University of California at Berkeley.
- An Overview of Problems Associated with the Federal Public Land Patterns and the Federal Land Management Organizational Structure, by Wesley Calef, University of Chicago.

The portion of the report prepared by the staff is based in part on the above papers, and in part on a review of the various other reports prepared as part of our research program. Based on this study, the following matters are identified for consideration:

1. To what extent, if any, should public land programs be centralized in one overall agency?
    a. Should all public land programs be centralized in a single Cabinet-level agency?
    b. Should some or all public land programs be administered by an independent agency?
2. To what extent should public land programs be organized along regional lines?
    a. Should all public land programs be reorganized into regional bureaus?
    b. If not, should regional public land coordinating organizations be established?
    c. Should consolidated programs and budgets be developed and presented for each region?
3. What organizational changes, if any, should be made for public land programs within the existing or a realigned departmental structure?
    a. Should some agency programs be consolidated?
    b. Should responsibilities for the administration of some public lands be transferred among existing agencies?
    c. Should responsibility for the coordination of public land programs be centralized at the national level?

4. Should there be different budgeting procedures for public land programs?

    a. Should there be a single budget for all public land programs as part of the President's Budget?

    b. Should public land programs generally be financed from receipts generated by such programs?

    c. Should responsibility for public land program and budget analysis be made a function of an independent agency?

5. What should be the role of advisory groups in public land matters?

    a. Are statutory authorizations required to establish the role of such groups?

    b. Should there be statutory guidelines for the operation of advisory boards?

6. Are the rules and procedures of the Senate and of the House of Representatives so structured as to provide for the most constructive consideration, review, and oversight of public land programs?

The Project Officer of this study was Perry R. Hagenstein, who was assisted by Dennis A. Rapp.

Sincerely,

Milton A. Pearl
Director

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Marjorie M. Melin
Agnes L. Denis

Listed above is the professional staff as constituted in August 1969 when the initial manuscripts were being readied for publication by the Clearinghouse for Federal Scientific and Technical Information, together with the sub-professional and stenographic and clerical personnel on the staff at the time of publication of this report.

Harry L. Moffett served as Assistant Director (Administration) from October 1966 to July 1969, and Leland O. Graham, Arthur D. Smith and Max M. Tharp made significant contributions as members of the staff prior to August 1969.

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> "The Chairman of the Commission shall request the head of each Federal department or independent agency which has an interest in or responsibility with respect to the retention, management, or disposition of the public lands to appoint, and the head of such department or agency shall appoint, a liaison officer who shall work closely with the Commission and its staff in matters pertaining to this Act."

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> "There is hereby established an Advisory Council, which shall consist of the liaison officers appointed under Section 5 of this Act, together with 25 additional members appointed by the Commission who shall be representative of the various major citizen's groups interested in problems relating to the retention, management, and disposition of the public lands,..."

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Anchorage, Alaska

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Phoenix, Arizona

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El Dorado, Arkansas

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Providence, Rhode Island

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Attorney General
Columbia, South Carolina

SOUTH DAKOTA
Ingebert Fauske
Quinn, South Dakota

TENNESSEE
William Slayden (Col.)(USA-Ret.)
Deputy Commissioner
Department of Conservation
Nashville, Tennessee

TEXAS
Jerry Sadler
Land Commissioner
General Land Office
Austin, Texas

UTAH
Glen M. Hatch
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Mountain Fuel Supply Company
Salt Lake City, Utah

VERMONT
Belmont Pitkin
Coordinator of Land Use
Goddard College
Plainfield, Vermont

VIRGINIA
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Richmond, Virginia

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Commissioner of Public Lands
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Department of Natural Resources
Charleston, West Virginia

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Lander, Wyoming

PUBLIC LAND LAW REVIEW COMMISSION

Background

The public lands of America date back to the time of the Union's formation. Then, and soon thereafter, seven of the original States ceded to the Central Government some 233.4 million acres of land lying westward to the Mississippi River. Thereafter, through purchase and treaty, the United States acquired an additional billion acres of public domain, the last acquisition being the purchase of Alaska from Russia in 1867. Altogether, nearly 2 billion acres of land in 32 States have been part of the public domain at one time or another.

At first, these lands were sold for their revenue. Eventually, however, as the pioneers swept westward, the revenue-raising policy was replaced by one stressing settlement and development of the land. The Homestead Act of 1862 was the first of a series of settlement and development laws enacted over a period of some 60 years - the desert land law, mining laws, and the various homestead laws - all designed to meet a particular need of the period. Meanwhile, many millions of acres were transferred to private ownership through military, railroad, and other land grants, including various grants to the States.

Through these means, nearly 1.2 billion acres have passed from Federal ownership, leaving approximately 715 million acres of the original public domain lands in Federal ownership. Of these 715 million acres 364 million are in the State of Alaska. Add to this the 52 million acres acquired for various purposes, and federally owned lands today amount to approximately 770 million acres - about one-third of the Nation's total land area. Some of these lands are in national forests and some are reserved for national parks, wildlife refuges, and other specific uses; but more than half constitute the "vacant and unappropriated" public domain lands which have never left Federal ownership and have not been dedicated to a specific use pursuant to legislative authorization.

The Act establishing the Public Land Law Review Commission contains in section 10 the following definition:

> As used in this Act, the term 'public lands' includes (a) the public domain of the United States, (b) reservations, other than Indian reservations, created from the public domain, (c) lands permanently or temporarily withdrawn, reserved or withheld from private appropriation and disposal under the public land laws, including the mining laws, (d) outstanding interests of the United States in lands patented, conveyed in fee or otherwise, under the public land laws, (e) national forests, (f) wildlife refuges and ranges, and (g) the surface and subsurface resources of all such lands, including the disposition or restriction on disposition of the mineral resources in lands defined by appropriate statute, treaty, or judicial determination as being under the control of the United States in the Outer Continental Shelf.

Working with the Commission are a 33-member Advisory Council and the representatives of the 50 State Governors.

Public Land Law Review Commission

ORGANIZATION, ADMINISTRATION AND BUDGETING POLICY
Volume I: Report

Commission staff with consultants

Published with revisions November 1970

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INTRODUCTION

General

The Public Land Law Review Commission, established by the Act of September 19, 1964, 43 U.S.C. §§ 1391-1400 (1968), has the statutory responsibility to (1) "study existing statutes and regulations governing the retention, management, and disposition of the public lands"; (2) "review the policies and practices of the Federal agencies charged with administrative jurisdiction over such lands insofar as such policies and practices relate to the retention, management, and disposition of these lands"; (3) compile data necessary to understand and determine the various demands on the public lands which now exist and which are likely to exist in the foreseeable future". Such a review is necessary because, among other reasons, "administration of the public lands and the laws relating thereto has been divided among several agencies of the Federal Government".

This is one of a series of studies designed to provide a basis for carrying out the statutory directive that the Commission recommend to the President and the Congress "such modifications in existing laws, regulations, policies, and practices as will, in the judgment of the Commission, best serve to carry out the policy" that "the public lands of the United States shall be (a) retained and managed or (b) disposed of, all in a manner to provide the maximum benefit for the general public."

The study deals with the operations of the Federal Government with respect to the administration of the public lands. Section 10 of the Commission's Organic Act defines the Federal public lands as (a) the public domain of the United States; (b) reservations, other than Indian reservations, created from the public domain; (c) lands permanently or temporarily withdrawn, reserved, or withheld from private appropriation and disposal under the public land laws, including the mining laws; (d) outstanding interests of the United States in lands patented, conveyed in fee or otherwise, under the public land laws; (e) national forests; (f) wildlife refuges and ranges, and (g) the surface and subsurface resources of all such lands, including the disposition or restriction on disposition of the mineral resources in lands defined by appropriate statute, treaty, or judicial determination as being under the control of the United States in the Outer Continental Shelf. In addition to these lands, the Commission's study program has generally involved consideration of Federal lands similar to or managed in conjunction with those defined above. Thus, at various places in the study program, attention has been devoted to policies and programs applicable to the lands acquired under the Bankhead-Jones Farm Tenant Act, the revested Oregon and California railroad grant lands, the reconveyed Coos Bay Wagon Road lands, and lands acquired and administered under policies and for purposes broadly similar to those applicable to the lands defined above.

Emphasis in this study is placed on programs of four bureaus: the National Park Service, which administers national parks and monuments and other elements of the National Park System; the Bureau of Sport Fisheries and Wildlife, which administers the National Wildlife Refuge System; the Bureau of Land Management, which administers the remaining unappropriated public domain lands; and the Forest Service, which administers the national forests and the elements of the National Forest System. The first three are in the Department of the Interior while the last is in the Department of Agriculture. All four of these agencies administer some of the former Bankhead-Jones Act lands, and both the BLM and Forest Service administer portions of the revested O&C grant lands in Oregon. While the emphasis is placed on these four bureaus, consideration is also given to other agencies involved in the administration of Federal public lands, including the Conservation Division of the Geological Survey in the Department of the Interior.

Scope and Procedures

The purpose of the study is to provide information that will enable the Public Land Law Review Commission to evaluate the existing institutional framework of the Federal Government with respect to policy formulation for and administration of the public lands and to evaluate possible alternative arrangements. Specifically, it provides a description and analysis of the manner in which public land policies and their administration are affected by the organization of the Federal Government; the process of coordinating public land programs; the formulation and evaluation of budgets for public land programs; and the role of advisory groups and systems in the administration of public land policies and programs.

Organizational influences, such as the departmental location of public land agencies and the methods used to coordinate the programs of bureaus with similar programs are considered, as are the duplications and similarities among programs. The place of public land programs relative to other Federal programs, particularly with respect to budget formulation, is considered.

In part, the study is based on a series of papers dealing with specific aspects of the overall study subject, which were prepared by consultants to the Commission and are included as appendices to this report. They are:

> The Organization of Federal Public Land Management, by Professor Owen S. Stratton, Department of Political Science, Wellesley College.
>
> The Use of Advisory Boards in the Administration of the Public Lands, by Professor Donald G. Balmer, Political Science Department, Lewis and Clark College.
>
> Federal Land Management Programs and Policy Evaluation, by Professor Robert Marty, Department of Forestry, Michigan State University.
>
> On the Importance of Being Political: Traditional and Program Budgeting . . . ., by Jeanne Nienaber and Aaron Wildavsky, University of California, Berkeley.
>
> An Overview of Problems Associated with the Federal Public Land Patterns and the Federal Land Management Organizational Structure, by Wesley C. Calef, Department of Geography, University of Chicago.

The Study is also based on information developed in the various Commission studies that bear on organization, administration and budgeting policies. The other Commission studies pointed up problems and facts related to these policies in connection with an examination of public land laws and policies related to specific commodities or to functions performed in connection with the administration of public land programs. Those dealing with functions included studies on regional and local land use planning for the public lands, withdrawal and reservation of lands from appropriation under laws providing generally for alienation of Federal title, and administrative procedures as applied to the administration of the public lands. The various other Commission studies not only identified problems involving organization, administration, and budgeting policies with respect to the subject areas, but also identified some possible alternatives for changing organizational structures, administrative aspects, and, in some cases, budgeting procedures. These were considered in preparing this report.

Framework for Analysis

This report focuses on the influence of organization, administration, and budgeting aspects of governmental operation on public land programs. A major postulate of the study is that the organizational structure of the Federal Government and the administrative and budgeting processes are major determinants of form and execution of public land policy. That is, Congress can and does establish policies for the public lands, but the effective policies on the ground are determined also by the organizational structure and the administrative and budgeting processes.

The Federal public lands are administered and managed by several agencies, most of which are in the Department of the Interior, but several of which are in other departments. The classes of lands involved are varied in quality, are concentrated in some cases, and are scattered in others. Lands administered by one agency may be intermixed with those of other agencies. The uses of the land vary as do the classes of users. And, of course, the relationship of the lands to both the needs and problems of state and local government varies widely. The agencies themselves vary considerably in historical development and in the current thrust of their policies.

The great geographic area covered by the public lands, and the different nature of the land and its resources from place to place have resulted in the creation of a widespread field organization in all agencies, each unit in a sense dealing with a unique set of circumstances. These conditions necessitate a heavy decentralization of decision-making, reflected by substantial administrative delegations of authority from the Washington level of the organizations to local administrators. All of the public land agencies have somewhat different missions and institutional objectives. Although they each serve a somewhat different clientele, many of the client interests they serve are common to each agency.

As administrators at the top of the executive branch structure have found it necessary to delegate authority to the field to facilitate policy execution for different conditions, Congress has also legislated broad discretion to the executive branch to carry out policy and to administer the public lands. Granting broad powers has led in turn, as it has in many other fields of governmental action, to a strengthening of the powers of the Executive with concomitant weakening of the influence and control of Congress. The control and exercise of power over policy making and programs by Congress and the Executive is decided significantly by organizational arrangements and budgeting procedures and standards.

The organization and operational procedures of Congress itself have a great deal to do with the kinds of policies and policy differences that exist in the public land field, with the way in which programs are administered, and with the relative emphasis given to different elements of public land administration. The division of legislative jurisdiction over different categories of public lands among several standing committees accounts for differences in both statutory and administrative policy applicable to various classes of public lands. The separation in Congress of decision-making about program effort through the appropriations process from policy making through the legislative process results in gaps in the coordination of policy with its execution.

The above considerations suggest several points that are especially relevant to an analysis of organization and administration and budgeting policies in public land matters. These are as follows:

Coordination.

Program and policy coordination within the Federal Government is important in public land matters because of the many and close interrelationships among the public land agencies. Functions of one land management agency are similar to those of another, uses of the public lands are often similar from one agency to another, and the lands administered by different agencies often adjoin or are intermingled. In some cases, one agency has certain responsibilities on lands administered by another.

Coordination can be and is accomplished at different governmental levels. The Congress is in a position to effect coordination in laws and general policies. Policies and programs can be coordinated among departments through the operation of the Executive Office of the President and through agencies, such as the Water Resources Council, that are set up specifically to effect policy and program coordination. At the field level, coordination is accomplished through program directives and through operational devices such as interagency committees. At all levels of government, coordination can be effected through directives requiring coordination and through control over the budgeting and appropriations processes. Changes in the need for coordination and in the means of coordination can also be made through changes in organization and in the responsibilities of the agencies.

Response to Public Needs.

Public land programs, and for that matter other programs of the Federal Government, are intended to provide the public with goods and services that are appropriately furnished by the Federal Government. The public lands often in competition with other suppliers provide a variety of goods and services to the public under many conditions. Because of the variety of agencies, goods and services, and conditions that are involved, the effectiveness of the governmental system for getting "signals" from the public as to its desires and needs is an important aspect for consideration in this study.

The Congress consists of its individual members, each of whom is responsive directly to the public from his district or state. But, because it has to deal with a wide variety of international, national, and even state and local issues, Congress has only limited time to devote to matters involving the public lands. If it is unable because of limits on its time to determine specific public needs with respect to the myriad of details involved in public land programs, some other means is needed for determining public needs and making this information available to the agencies administering the public lands.

Public land policies and programs also have substantial and varying local effects. Decentralization of decision-making in the public land agencies helps to make Federal public land programs responsive to variations in local conditions and needs by increasing the effectiveness of efforts to obtain information on local needs and making programs responsive to these needs. The organization of the field operations of the land management agencies is clearly related to the ability of these agencies to respond to local needs.

Obtaining Necessary Information.

Because of the complexity and breadth of public land policies and programs, obtaining information to guide decisions for policy and program formulation has always been a problem. In part, the problem is related to the manner in which the Federal Government is organized and in part it is related to the decentralized manner in which economic and political decision-making occurs in our society. Part of the information that is required for good decisions on public land matters can be developed only through research programs that are adequately supported over a period of time. Such programs must be designed in part to obtain information relevant to public land matters, and such relevance is related to the organizational location of the research program.

Other information necessary for policy and program decisions comes from various agency programs and from users and other groups interested in the decisions. Again, the manner in which such information is developed and flows to the point where decisions are made can be influenced significantly by the organization and operation of the Federal Government.

Program Efficiency.

In order to carry out policies and programs for the public lands, program choices have to be made, funds have to be budgeted and appropriated, and programs have to be carried out on the ground. The choices among programs and program levels determine the efficiency with which Federal appropriations are spent on public land programs. It is not necessarily obvious that the organization of the Federal Government affects the manner in which program choices are arranged and decisions made. However, separation of programs between the Forest Service and the Bureau of Land Management, for example, has an important effect on the way in which choices among alternative timber management programs are presented to those who must make the choice. The whole budgeting process and application of systematic analysis to budgeting also has an important effect on choices.

In the context of this study, program efficiency can be viewed broadly as choosing among alternative public land policies and programs so as to be consistent with general goals of spending Federal funds in an optimum manner and in establishing optimum program levels.

This volume contains, first, a summary discussion of the types of problems in public land policy formulation and program execution that are related to organization, administration and budgeting and, second, a discussion of possible alternative arrangements to the present policy structure. The alternatives are intended as possible means of improving the operation of public land policies and programs by overcoming the problems that are identified.

(followed by II-0)

SECTION II

PROBLEMS

PROBLEMS

Introduction

This section presents a summary discussion of the kinds of problems in public land programs that are related to and require that consideration be given to possible changes in the organization, administration, and budgeting policies related to these programs. Some of these problems require legislative solutions, while others could be solved administratively. The one factor that is common to all of them is that the solutions require that substantial institutional resistance probably has to be overcome if the solution is to be accepted.

The organization of public land programs within the Federal Government structure, for example, has developed over a long period of time. As organizations grow and acquire responsibility for particular programs, they also develop ties to clientele groups and a group of employees with special skills, training, and perhaps common educational backgrounds. Each agency also develops a kind of organizational _esprit de corps_ or mystique and a place within the Federal structure that involves a set of well developed relationships with other agencies and with the Congress. Any proposed change in organizational structure promises to upset these relationships and, therefore, usually brings about resistance to change by all of those who might be affected. Not only do the agencies themselves tend to resist change, but the clientele groups, who understand the existing arrangements, and the Congress, which has organizational ties through its committee system to the agencies, also resist changes. For example, with one exception, all statements submitted by clientele groups at hearings before a Senate subcommittee in 1967 on a bill that would have transferred certain agencies to and from the Department of the Interior and redesignated it the Department of Natural Resources opposed enactment of the bill. The statements generally indicated a satisfaction with the existing organization and with the existing relationships of the clientele groups to individual agencies that would be subject to transfer.

Procedures used by the Federal Government also grow and develop, as do agencies, but also engender resistance to change. Perhaps the most important general set of governmental procedures affecting public land programs are those that make up the budgeting and appropriations process, which is the means by which Federal policies are effected. This process, too, is subject to change, but is not readily changed. Furthermore, it is a process that is applied government-wide to all Federal programs. Changing the process so as to improve its performance for public land programs may require changes that affect other programs as well and that are not well suited to the other programs. Thus, resistance to a change in procedures comes about because of the relatively limited place of public land programs in the overall Federal program.

These sorts of resistance to change are real and often limit the extent of possible changes. However, these are problems largely in making changes and are not the underlying problems that affect the ability of public land policies and programs to meet public needs. Their existence must be recognized, but it need not limit consideration of possible changes in the existing policies for the public lands.

Factors Affecting Public Land Programs

Administration of the public lands presents the Federal Government with special problems in management and organization. First, the public lands are extensive and spread throughout the country, although the major areas of land are in the West. The dispersed character of lands needing management requires that there be an organization or organizations with long lines of communication and whose administration is substantially decentralized.

Second, the lands produce a variety of resources under a wide variety of conditions ranging from arid to humid and plains to mountains. The lands themselves are also variable in quality, with much of the arid land of particularly low quality suited primarily to very extensive uses. Under these conditions, the manpower requirements for administration are very light; under other conditions they may be quite heavy and vary widely in terms of the type of skills required. Again, decentralization of decision-making is required because of the variety of conditions and skills required for administration. Flexibility to meet various conditions is required in the procedures that are followed.

Third, there are a variety of special skills required in public land management. To some extent, responsibility for programs involving particular skills is concentrated in certain agencies. For example, the Geological Survey has responsibility for geology programs and certain mineral programs on public lands and has, over the years, developed a body of special skills that is not duplicated in other agencies. In a similar sense, the Forest Service and BLM have developed skills in timber and grazing programs and these agencies can be looked to as a source of specialized information. To meet the varied problems of public land management, flexibility in the use of special skills is required so that each problem is dealt with by persons capable of handling it.

Fourth, there is considerable variety in the uses made of the public lands and in the classes of users. Many of the uses are primarily economic or commercial uses such as mineral development or timber harvesting, and these involve relationships between the Federal Government and primarily business entities. Other uses are noncommercial or nonmarket in character and involve relationships primarily with individuals. Both classes of users deal directly with the administering agencies, and perhaps with the Congress, and both may be represented in some of their dealings with the government by associations or recognized lobbying groups. Institutional arrangements for assuring consideration of the viewpoints of users and others interested in or affected by administration of the public lands are required.

Fifth, uses of the public lands and the needs of the country are changing. Even the long-established uses, such as mining and timbering, change as technology and production requirements change and lead to shifts in the location and kind of natural resources uses. Even more important, perhaps, is the rapid increase in importance of uses such as recreation, which may once have been something of a luxury use of the public lands, but is now virtually a necessity in an affluent society.

The organization of the Federal Government for dealing with public land programs, the administration of these programs, and the budgeting and appropriations procedures of the Federal Government must all be flexible enough to handle the great variety in factors influencing these programs.

Organization and Program Coordination Problems

The historical development of Federal programs related to the public lands has resulted in a wide variety of specific programs that are administered by several bureaus within at least three departments. As programs and needs have changed and generally expanded, the organizational location of the programs has tended to remain constant, although basic authority for all agencies has generally been broadened with the passage of time. The Forest Service has been in the Department of Agriculture since the Transfer Act of 1905 and it has had essentially the same three broad programs of national forest administration, state and private forestry and research since passage of the McSweeney-McNary Act in 1928, which provided its research authority. The National Park Service has been in the Department of the Interior since it was established in 1916. The Bureau of Land Management was created in 1946 by combining the functions of the Grazing Service, which was set up to administer the 1934 Taylor Grazing Act, and the General Land Office, which predates the Department of the Interior. Although the overall thrust of the BLM program is considerably different than that of the General Land Office, the functions of the GLO have not undergone a change in organizational location. The Bureau of Sport Fisheries and Wildlife is a relatively new organization, having been established in 1956. It too is an offshoot of an earlier organization, the original Fish and Wildlife Service, which was formed from agencies transferred to Interior from Commerce and Agriculture in the 1930's. Although there have been changes in responsibility for administration of some lands and there have been shifts in responsibility for certain functions, on the whole major organizational changes involving public lands have been rare.

Problems arising from organizational structure are evident at both the national and regional or local levels. Since the ultimate effect of public land programs occurs "on the ground", perhaps the most important problems are those that occur at the regional or local levels. It seems obvious that the diverse viewpoints and programs of several public land management agencies administering broadly similar classes of lands can create problems. It is possible that one agency could frustrate accomplishment of the goals and objectives of another and there are numerous possibilities for duplication of activities, facilities, and personnel. In addition, the possibility that an agency's view will be limited to the lands that it controls directly can restrict the real options available for producing a commodity or a service on lands controlled by another Federal agency.

Whether organizational problems arise at the local, regional, or national level, policy and program coordination is a necessary and accepted aspect of organizational relationships. In fact, the executive branch sometimes sees it as solution to problems arising out of organizational structure. Philip S. Hughes, Deputy Director of the Bureau of the Budget, at the 1967 hearings on a Department of Natural Resources stated that, "... while several agencies are responsible for major natural resource functions, we are optimistic that the new approaches to coordination will overcome many of the long-standing problems." He then went on to mention the tendency to rely on comprehensive plans as a major coordination tool, as reflected in the Water Resources Planning Act and the Outdoor Recreation Act. However, some 5 years after passage of the Outdoor Recreation Act, there is still no comprehensive nationwide plan for outdoor recreation indicating how the Federal programs, including those on public lands, should be coordinated.

Coordination at all levels of government, takes up considerable amounts of time, and leads to numerous problems itself. Because of differences among agencies in statutory authorizations, organizational goals, and constraints imposed by budgets, by Congress, and by clientele groups, public land agencies are not always in a position to freely modify their programs so as to reach positions that are fully coordinated with each other. Efforts are made at all levels of government to force the coordination of Federal programs but, in spite of this, public land policies and programs cannot be said to be fully coordinated nor can they be said to operate in a completely efficient manner in the public interest.

The following problems are identified as being of sufficient importance to warrant possible consideration by the Public Land Law Review Commission:

Organizational divisions result in different policies and programs for similar lands with similar possible uses.

Although there are distinctions from place to place in the kinds of lands administered by the major public land agencies, much of the land administered by different agencies is much the same in general character and in possible uses. For example, both the Forest Service and BLM administer large areas of both forest and grasslands and both are authorized to use these lands for a variety of purposes. The National Park Service and BSF&W also administer forest and grasslands and, although they are more constrained in the kinds of uses that can be allowed, consistent with their primary missions, they too provide for some of the same general uses as the Forest Service and BLM.

Despite these similarities and despite the tendency for well-established programs to be modified so as to reduce differences, policies guiding the use of the lands and the programs for administering these policies generally differ. The administration of grazing on the national forests and on BLM lands still show significant differences of long standing, such as the means of allocating grazing permits, even though many permittees hold permits for both classes of lands. Timber policies for the Forest Service and for BLM also differ significantly, particularly with respect to conditions of timber sales, while policies guiding the charging of fees for recreation use of the national forests and national parks differ substantially.

Many of these policy and program differences have a historical foundation. The Forest Service began to control grazing on its lands in the early part of the century while control was not exerted over grazing on unappropriated public domain lands until passage of the Taylor Grazing Act in 1934. Other differences can to some extent be explained by the specific conditions of using the public lands, such as the differences between the national forests and national parks. However, whether the differences are explainable or not, they still remain confusing to the public, to some extent to the Congress, and to those who use the public lands.

Federal agencies with broadly similar programs maintain their separate postures to compete for financing, program responsibilities, and land administration responsibilities.

While the competitive system is often considered ideal for private enterprise, competition between two or a very limited number of Federal agencies encourages them to identify and emphasize differences that will enable them to maintain or increase their share of program financing, or responsibilities for particular programs, and of the total Federal public lands. For example, agencies compete to broaden their statutory and administratively defined responsibilities into new program areas, such as administration of national recreation areas. The Forest Service and National Park Service have competed for the authority to administer particular national recreation areas, as in the case of Lake Powell, which eventually required agreement by the two departmental Secretaries that were involved. Although there is a good deal of sensitivity on the part of most agencies about trying to take over another agency's specific responsibilities, this does occur and sometimes it is successful. More commonly agencies compete for responsibilities in new program areas. As long as outdoor recreation has been a "glamor" program, the public land agencies have been anxious to assert their role as providers of outdoor recreation even though other programs may be underemphasized or recreation opportunities could be better provided on lands administered by another agency.

This competitiveness also extends to control over lands. For any particular agency, the definition of "highest and best use" is apparently in the eye of the beholder; each believes its use or set of uses to be best. The evidence suggests that most agencies are both anxious to add to the area of land under their administration and reluctant to give up control over lands that they now administer. The conflict between the Forest Service and National Park Service over the lands to be designated for park and other uses in the North Cascades is a classic case. An interdepartmental study team, headed by the Director of the Bureau of Outdoor Recreation, prepared a report which eventually helped the Congress in finding a legislative solution in this case.

Resistance to returning lands withdrawn from the public domain for a particular use that involves a transfer of administrative jurisdiction back to the Bureau of Land Management for administration has also been an example of interagency competition. This has been a particular problem with reference to lands withdrawn for Department of Defense and for the Federal Power Commission. The Bureau of the Budget has authority to resolve conflicts resulting from such resistance, but has never exercised this authority even though there have been substantial delays in effecting the return of withdrawals. Although the transfer of lands may be important to those affected in the use of the land in the withdrawal, it is apparently relatively unimportant to the Bureau of the Budget, which has larger problems to occupy its time.

Because of differences in programs and organizational location, public land agencies establish their ties with different clientele groups, which then act as a constraint on each agency in modifying programs and coordinating programs with other agencies.

Clientele groups, often made up of users of the public lands, play an important role in supporting the agencies in requests for legislation and appropriations and in resisting what are considered to be incursions into an agency's area of responsibility. In return, the agencies curry the favor of clientele groups largely through an "open-door" policy, which assures that they have access to meet and discuss problems with agency personnel. But in a more subtle way, the clientele groups are in a position to act as a constraint on an agency's ability to change programs in a way that is to the disadvantage of the clientele groups. Revenue sharing by the public land agencies, in effect, puts state and local governments in the position of clientele groups who resist program changes that would disadvantageously affect their receipts from shared revenues.

The fact that there are different agencies with somewhat different programs, although on generally similar lands, almost assures that different clientele groups will be attached to each agency, and this is even more true for bureaus located in different departments. In the conflict between the National Park Service and the Forest Service over the provision for exchanging lands as a part of Redwood National Park bill, clientele groups tended to remain on the side of the agency with whom they had the long standing contact.

The number of individual agencies and programs in public land matters results in inefficiencies in the operation of the Federal Government.

Substantial areas of public lands are administered by, in addition to the four major public land agencies in two departments, three departments in the Department of Defense in connection with military purposes and by the Corps of Engineers in connection with reservoirs, the Federal Power Commission, the Atomic Energy Commission, and the Bureau of Reclamation. The use of each commodity on public lands is determined under a separate set of guidelines for each administering agency and it is not uncommon for one agency to have two or more sets of guidelines applying to use of a commodity it administers. For example, the Bureau of Land Management has separate guidelines for grazing on Section 3 lands, Section 15 lands, and LU lands it administers.

In addition, at least three standing committees in each House of Congress, in addition to the Appropriations Committees, have legislative responsibilities for public land programs. Public land program responsibilities are divided among at least two branches of a division of the Bureau of the Budget. The General Services Administration is responsible for disposal of public lands in some cases.

The relative scattering of public land matters throughout the executive branch agencies and in the congressional committee structure almost guarantees that public land policies and programs will be uncorrelated and conflicting. Simplification is not necessarily good for its own sake, but complexity of the sort found in public land matters can lead only to inefficiencies through unnecessary and unknown duplication of efforts, confusion on the part of those who must work with the public lands and public land agencies, and costly conflicts among agencies and public land users.

Broad statutory discretion granted to the public land agencies limits their responsiveness to pressures rising through the political system.

In public land matters, Congress has generally delegated considerable discretion to the public land agencies at the bureau level, thus limiting substantially its control over them through exercise of legislative oversight. In recent years, there has been a limited effort by Congress to reestablish some of its direct control over public land matters, as in the Engle Act limiting executive withdrawals for military purposes to 5,000 acres and in the establishment of wilderness areas, but generally the individual bureaus have considerable operational discretion.

Because of the extent of their operational discretion, the public land agencies are relatively free of political controls on matters of judgment where there is no unambiguously correct position. Further, they are able to build their own political force, which enables them to compete almost as equal partners with the President's political apppointees at the departmental level and with the Congress in effectively establishing policies for the public lands.

Policy and program coordination for public land matters has no single focal point at the national or regional levels.

While there are some broad similarities in the programs of the different public land agencies, many of the statutory authorizations for conducting them differ for each agency and the basic thrust of the programs of the different agencies varies considerably. For example, the Forest Service is the primary Federal agency with responsibilities for the management, production, and use of timber. However, other agencies, including the Bureau of Land Management, Department of Defense and Bureau of Sport Fisheries and Wildlife also have timber programs on lands they administer. And timber programs are simply one example of many. There are grazing, outdoor recreation, and fish and wildlife management programs on the lands administered by the National Park Service, Bureau of Sport Fisheries and Wildlife and Department of Defense, in addition to those on lands administered by the Forest Service and BLM.

Despite the fact that there are differences in these programs, there is no effective focal point at either the national or regional levels for assuring that the programs of the various agencies are coordinated. The Department of the Interior has had regional coordinating committees since about 1950 to coordinate the programs of bureaus within the Department, but interdepartmental coordination, which would be required to bring Forest Service and Department of Defense programs into concert with those of the Department of the Interior, is not a responsibility of these committees. One example of coordinated Federal natural resource planning involving more than one department is the program of comprehensive river basin planning, which is conducted as part of the basis for water resource project development under the Water Resources Planning Act. This program involves interagency committees that include members from the major public land agencies in basin areas where they have responsibilities, but the planning focus is oriented primarily toward water resource projects and the effective coordination of public land programs generally is minimal.

At the national level, there is no overall organizational focal point for coordinating policies and programs. The Congress could coordinate policies, but divisions in committee jurisdiction for public land matters limit the extent to which this source of coordination is effective. The Bureau of the Budget has broad responsibilities for program coordination, but its staff is small and its time is limited relative to the kind of programs that would have to be coordinated. In one area involving public lands, outdoor recreation, a program coordinating agency, the Bureau of Outdoor Recreation, has been established in the Department of the Interior. The effectiveness of BOR in coordinating Federal outdoor recreation programs has been limited, however, by the fact that it is a bureau trying to coordinate programs that are in other departments. BOR just isn't in a position of enough political strength to force agencies in other departments to follow its lead. To a degree, the failure of BOR to develop a comprehensive national recreation plan within a period of five years is evidence of this.

Divided committee jurisdiction in Congress for public land policy-making results in different policies for the same function and in different degrees of oversight exercised by the Congress.

Legislative jurisdiction over public land functions is divided among several committees. While the Interior and Insular Affairs Committees in both houses have a major share of the legislative jurisdiction over public lands, there are at least two major exceptions. The Senate Commerce Committee and the House Merchant Marine and Fisheries Committee are responsible for programs dealing with the Wildlife Refuge System. The Senate Agriculture and Forestry Committee in the Senate and the Agriculture Committee in the House have legislative jurisdiction over acquired national forest lands and over Forest Service research programs. The relationship of these programs to the major responsibilities of the committees to which they are assigned is rather weak at best. Assignment of legislation for the Wildlife Refuge System to the Commerce and Merchant Marine and Fisheries Committees results in these programs being viewed from a different perspective than are other public land programs. This is also true in the case of acquired national forest lands and, in addition, jurisdiction problems arise at times since both the Agriculture and the Interior committees at times deal with legislation that apparently applies to the entire National Forest System, whether acquired or reserved from the public domain. In effect, the jurisdiction of the two committees overlapped for the recent National Forest Timber Supply Act bill, which was reported by the Agriculture Committee in the House. This bill, if enacted, would primarily have affected Forest Service timber programs on lands reserved from the public domain, although it would also apply to acquired lands. Yet the bill was assigned to the Agriculture Committee and not to the Interior Committee, which has jurisdiction over legislation for the public domain national forests.

The division of responsibilities between the legislative and appropriations functions of the Congress also leads to possible conflicts in public land policies. The intent of Congress as expressed legislatively through the legislative committees can be either expanded or frustrated when the programs come up for decisions by the appropriations committees. One recent example is the legislation that increased the Land and Water Conservation Fund; while the amount of money in the Fund has been substantially increased, the Appropriations Committees have adopted the position of the President's Budget, which is to hold spending considerably below the level intended in the legislation that increased the Fund.

Separating responsibilities for legislative and appropriations actions dealing with programs for the same or similar public lands is inherently likely to lead to differences in treatment among public land programs. Not only do the public land responsibilities of the committees vary in their relationship to the major functions of the committees, but committee memberships generally reflects differing constituencies and a differing set of considerations.

State and local governments and users of public lands have to deal with more than one public land agency.

Lands of the national forests and public domain lands administered by the Bureau of Land Management often occur in proximity to each other and in some cases are closely intermingled. National forest lands reserved from the public domain in the western United States typically occur at higher elevations than those lands remaining under the administration of BLM and are often effectively surrounded by the BLM lands. Although generally the national forest lands are in fact forested and the BLM lands are more arid and treeless, lands along the boundaries where they meet are similar in character and use. Wildlife refuges and ranges and national parks and monuments are often located as "islands" within or alongside lands administered by the Forest Service of BLM. In addition, state lands are often intermixed with Federal public lands, particularly where grants to the states of specified sections have never been consolidated through exchanges for other Federal lands. Adding to the complexity of ownership patterns in public land areas are the railroad grant lands. The usual procedure of granting alternate sections along the rights-of-way in a band 20 to 40 miles in width resulted in some areas in the well-known checkerboard pattern of ownership where alternate sections are privately owned, in many cases by the railroads.

As a result, and particularly where land uses are extensive, a single user of the public lands may have to deal with a number of landowners. It is not uncommon for a rancher to have to deal with the Forest Service, BLM (under separate regulations for Section 3 and Section 15 lands), a state agency, and one or more private landowners (including perhaps a railroad) in order to have a unit of land under lease or control that is sufficient to support a ranching enterprise. Even if the conditions of use were the same for all landowners, which they are not, the rancher has to deal with a number of organizations. Consolidation of lands, including the exchange of lands with the states and other landowners, could simplify this problem and also simplify problems related to other uses of public lands such as, for example, those associated with unitized development of mineral exploration.

State and local governments also have to deal with a number of Federal agencies in order to coordinate programs in areas of intermingled lands. States, for example, have jurisdiction over wildlife on both Federal and non-Federal lands, while the Federal public land agencies are responsible for wildlife habitat management on the Federal lands. Relationships with the states in coordinating Federal programs of habitat management with those of the states for management of the wildlife population are complicated by the complex patterns of Federal lands and by the differences between agencies administering lands in close proximity. Local governments may also have to work with more than one Federal agency in developing road networks, for example, that cross Federal lands.

The complicated pattern of Federal public land ownership, which involves scattered lands and a number of agencies, complicates boundary marking, surveying, and trespass problems and results in duplication of administrative facilities.

Intermingling of Federal lands requires that additional boundaries be located and marked and thus results in added administrative costs and diversion of program effort away from more productive activities. It is obvious that every additional boundary line requires added effort for surveying and surveillance over programs to assure that timber cutting or grazing, for example, do not inadvertently cross boundaries. Although this is most important where Federal lands are intermingled with private or state lands, different regulations usually apply to use of the land even in the case of adjoining Federal lands and the land manager must know where the boundaries of each jurisdiction are located.

Because lands are intermingled, administrative facilities often appear to be duplicated. BLM must maintain offices and other facilities in areas where the Forest Service also maintains offices and other facilities, oftentimes in the same cities or towns. The importance of such duplication in terms of efficiency of government operations can be overstated; the amount of facilities required is largely a function of size of programs. Nevertheless, facilities are highly visible and the public reaction to facilities that appear to duplicate each other can be a factor affecting support for Federal public land programs.

Organizational separation of public land programs prevents comprehensive land use planning and program development at the regional and local level.

There is little formal coordination of programs among the public land agencies at the regional and local level even though the programs apply to generally similar lands and may involve much the same set of users. In addition, there is little formal coordination of public land use plans with those that apply to nonpublic lands in an area. The need for comprehensive land use planning on a local and regional basis has frequently been pointed to as a problem relating to public lands, but the lack of a regional organizational focal point within the Federal Government and the lack of a requirement that such plans be prepared has allowed the matter to drift from one fiscal year to the next.

The need for coordination of programs so that one Federal agency is not unknowningly frustrating the efforts of another or unnecessarily duplicating another's programs is obvious. Less obvious is the fact that considering each agency's land as a unit to itself eliminates consideration of possible alternatives for supplying similar commodities or services on lands administered by other agencies. In some areas where pressures have become intense, such as the Yellowstone Park area, a degree of coordinated planning between the Forest Service and National Park Service in providing campgrounds has been forthcoming, but this is not widespread. Other opportunities for concentrating a program on one agency's lands must also exist but are not considered because of the lack of a comprehensive viewpoint. Although public land programs are primarily local and regional in their immediate effects, the lack of comprehensive land use planning and program development at these levels results in a failure to develop the best kind of information on which to base program decisions made at the national level.

Division of responsibility for programs on the same land units among two or more agencies reduces the land manager's control over land use decisions.

Examples resulting in divided responsibilities include the cadastral survey program of the Bureau of Land Management and the geology and mineral supervision programs of the Geological Survey, both of which are applicable to all Federal lands, and the responsibility of the Corps of Engineers for identifying areas in which mineral exploration is permitted and approving structures on Outer Continental Shelf mineral operations generally under the supervision of the BLM.

The division of responsibilities for programs applying to a single unit of public land among two or more Federal agencies can lead to lack of coordination among land uses, which are varied and must be balanced by the land manager at the field level to achieve an optimum pattern of land use. A lack of control over one or more of the possible land uses or a lack of information concerning a possible land use limits the ability of the land manager to balance uses. For example, weighing the engineering requirements of drilling oil wells and the cost of possible changes in drilling requirements is a responsibility of the Geological Survey while the need for control over environmental pollution or effects on other resources is a matter of concern to the land management agency. It has been alleged that this split in jurisdiction is at least partly responsible for the oil spill problems at Santa Barbara.

The separation of some programs from the land management function also reduces the responsiveness of the programs to the needs of the land manager. Timely performance is often important to the needs of land management, but separating responsibilities for surveying programs from those for land management can lead to a failure to meet program needs of the land management agencies because the appropriate allocation of effort is not readily apparent to the agency that is separated from the land management function. The different agencies respond to different pressures and, therefore, have a different set of priorities in determining what needs should be met first or what conditions are most important in accomplishing tasks on the public lands. On the Outer Continental Shelf lands, for example, the Corps of Engineers, Geological Survey, and Coast Guard, in addition to the Bureau of Land Management, all have responsibilities related to mineral development. While the Corps of Engineers is generally responsive to the military and maritime transportation needs of the country, the Geological Survey is primarily responsible for supervising the operations of the minerals industry. Such differences of opinion concerning such development that involve two or more departments sometimes must be carried as far as to the Secretaries for resolution.

Problems related to Budget Formulation and Appropriation of Funds.

The process of formulating budget requests and approving appropriations is a key determinant of the real effect public land policies have in terms of the program effort that is exerted and the results that are obtained. Public land programs are included in the President's Budget, which is submitted to the Congress annually. The Budget is the basis for hearings by the Appropriations Committees of the Congress and very substantially affects the level of appropriations that is established by statute.

The place of public land programs in the overall programs of the individual departments and the extent to which these programs meet the current needs of the political system greatly affect the amount of funds that are ultimately appropriated. The whole budget process requires that estimates of expenditure requirements be aggregated from one governmental level to the next until the ultimate budget, although hundreds of pages long, actually treats with individual programs in a rather general manner. The appropriations process, which starts with the Budget as a base, works in the opposite manner.

Important problems of public land policy formation and program execution related the budgeting and appropriations process are discussed below.

The program basis for public land budgeting is not visible at most key decision-making levels in the budget-appropriation process in a form that permits relating program effort to policy objectives.

Budget data and supporting materials assembled for formal presentation to decision-makers each year at the level of bureau heads, secretaries and Cabinet secretaries, the Bureau of the Budget for Presidential action, and thereafter the appropriations subcommittees of the Congress, are composites and aggregates of financing schemes for work to be performed in scores of operating offices scattered across the Nation. Budget requests that reflect the judgment of field level employees are sent up from the field level in accordance with guidelines sent out from the Washington offices of the agencies. Once the budget requests have been sent to the Washington offices, there is usually no specific basis other than the experience of Washington officials for comparing the effects of various programs in terms of goods and services produced or for comparing the efficiency of the same program in different regions or locales.

Decision-makers at the Washington level, are not able to judge, for example, whether the national soil and moisture budget proposals of the Forest Service and the Bureau of Land Management for a given fiscal year are the right amount and whether they will be spent on the right kinds of work and in the right locations, because they have no meaningful information about the different opportunities for generating benefits of various kinds in different locations on the national forests or on BLM's grazing districts. They are given only a rather general statement describing the program, in some cases some measures of the inputs such as acres of range that can be reseeded associated with a particular program level, and the opportunity to question bureau employees about the program.

With some significant exceptions, such as major land acquisitions for national parks, the Wildlife Refuge System, and some national forest purchases that have previously been authorized through the formal review and evaluation processes involved in statutory authorization actions, there is no explicit agreed-upon public land program frame of reference against which annual budget proposals may be evaluated and appropriated. Even major construction programs receive little evaluation at policy making and higher budget decision-making levels. Master plans for major road system networks on national forests and BLM lands and on many national parks may not even be seen by top policy makers, let alone approved. For some public land areas in which funds have been and are being spent regularly, master road network plans do not even exist. The Congress was given a 10-year program for national forest development some years ago which included estimates of program levels to meet broadly stated national goals. Although this 10-year program has no statutory weight, it is used as a basis for comparison by the Forest Service in its annual budget presentations.

Generally, budgets submitted for public land programs at the national level (which is the level at which the budget takes its formal shape as a proposal and upon which appropriation actions are based) do not contain the basis for making intelligent and independent judgments in terms of: (1) short and long-term economic growth benefits for the different regions and localities where the money will be spent; (2) the efficiency with which the proposed funds will be spent, particularly for capital investment type of expenditures, whether the expenditures are in support of economic, noneconomic, or "conservation" activity on the public lands; (3) alternative opportunities for program funding that will produce different mixes of results than the one program offered in the budget; and (4) national benefits that will result from the budget under consideration.

Programs that produce revenue or generate direct economic benefits tend to be favored over other programs in budget allowance and appropriation decisions for some classes of public lands.

Budget requests and appropriation decisions for public lands programs where there is some flexibility of choice (e.g., Forest Service and BLM) show a tendency to favor public land activity that either brings revenue back to the Federal Treasury or bestows an economic benefit on a user group or a locality. Budget levels and annual increases for timber sale administration and timber management on both the Forest Service and BLM show sustained growth compared with non-income producing functions. So do access road construction appropriations, justified to open up timber areas and to make them economically available for harvesting. The same is true for BLM and Forest Service soil and moisture investment and range management and administration budgets, which reflects that these programs confer recognized benefits on rancher users by increasing livestock forage production and improving rangeland quality.

These kinds of programs tend to receive more favored treatment because (1) it is easier for an administrator to plead and more acceptable for a politician to allow a case for increased funds by promising increased money returns, (2) commercial groups that benefit from public lands activities are better organized and more effective in making their needs and desires known in the political processes that attend budget formulation and appropriation decisions; and (3) noneconomic and non-revenue producing public land budgets are conceptually difficult to justify and, therefore, get less sympathetic treatment at successive levels in the budget decision-making process as the "squeezing" gets tighter and competition for limited budget increases.

The net effect of this particular pattern as it recurs in successive budget cycles is that the most efficient uses of the public lands to which multiple use policy is intended to apply may be frustrated. Limited Federal funds available for public lands at a point in time are probably not expended on the best possible array of program effort.

Capital improvement and development programs for public lands are not clearly treated as such in budget planning, budget evaluation, and program financing.

The Federal government is deeply involved in commercial and economic activities in many of its public lands functions, but it does not conduct its investment planning, make its investment decisions, or finance these types of programs in a manner that approximates the standards and methods applied to investments in the private economy. This is caused by the nature of the budget system itself and by the way in which public land policies and programs become institutionalized, and they remain unchanged because of the nature of public land program policies.

Neither Congress nor the agencies recognize in their actions that many of the program activites are substantially different for budgeting and financing purposes than others. Expenditures for rehabilitation and improvement of rangeland productivity, for timber stand improvement, access roads, trail construction, recreation structures, wildlife habitat improvement and stream improvement work for fish habitat enhancement, and many similar activities add to the "capital stock" of the public lands. They produce both economic and non economic benefits that flow into the economic and social life of the Nation over a long period of time. These expenditures are commonly "one time" or periodic at any one place or for a particular project, and are distinctly different from annual administrative expenditures. Yet, the budgeting and related fiscal control and financial management techniques largely ignore those differences.

Investment choices in planning are not based on explicit comparisons of alternative flows of future benefit from investment opportunities in different regions, sites, and conditions. The cost of money is not taken into account in these types of investments as evidenced by the failure to use interest rates in evaluating programs in agency budget planning and in accounting systems. Accounting systems do not reflect amortization schedules. Congress has set no guidelines for agency treatment of these kinds of public lands expenditures, and the Bureau of the Budget and appropriations committees generally demand no benefit-cost analysis from any public land agency in any justification material submitted to them. Attempts at cost-effectiveness analysis by PPBS staffs have little real effect in the absence of standards established by Congress. Legislative policies applicable to the public lands that reflect goals can not be tested in agency program execution nor consistently pursued in program planning and expenditure decisions unless meaningful investment standards are established and applied.

Uncertain public policy objectives and Federal responsibilities with respect to some classes of public land and some public land resource values result in conservative budget allowances and appropriations and underfinancing of some public land programs.

Congress has often left unclear the specific responsibility of the Federal Government for many kinds of activities on public lands, and for that matter the status of some classes of public lands. This results in confusion, uncertainty, and disputes in the budgeting process, conservative budget allowances and appropriations, and either a waste of public funds or under-financing of programs and attendant mismanagement of public land values. Some examples include the lack of policy definition or guidelines as to the degree and form of Federal responsibility for wildlife habitat investment and improvement and population control work on public lands; the intended Federal tenure status for public lands administered by BLM and the efficacy of investing money in them; the objectives of watershed investment and development work on Federal land; the extent to which the productivity of public range land in the national forests and grazing districts is to be enhanced with Federal funds; and the degree of intensity to which different kinds of public timber lands in different locations are to be administered for wood production.

Long standing responsibilities of the states for regulating hunting and fishing in the United States, and the failure of Congress to specify the form and degree of Federal responsibility for fish and wildlife habitat and population level work on public lands has left the decision makers in the budget process uncertain as to the purposes for which funds should be allocated for this purpose, and the extent to which the states should be asked or required to participate in the financing of such work. Budget decision-makers tend to hold down allowance for these kinds of activities in the agency budget requests. The Appropriations Committees hesitate to add funds or challenge administration allowances because of the political problems that may be generated by the states, who oppose giving Federal administrators too much power over fish and wildlife activity on public lands. The result appears to be chronic underfinancing of public land fish and wildlife program activity (planning, habitat surveys, habitat investment, wildlife population quality control efforts, and positive programs to enhance both hunting and fishing and nonhunting wildlife related values on public lands).

Because Congress itself has stated it to be the policy that the final use of public domain administered by BLM under the Taylor Grazing Act has not been determined, there is some hesitancy in the budget making process to provide for Federal lands for capital investment programs. Specifically, budget allowance decisions for public domain access road construction; capital investment in rangeland to "rehabilitate", "conserve", and increase its productivity; and capital improvements for recreation development are conservative and low.

Although all of the major Federal agencies administering public lands claim "watershed" benefits from their management efforts and their husbandry of the land, there is no clear and agreed-upon policy as to what the "watershed management" objectives of Federal land management should be, what types of work should be undertaken to pursue these objectives, and who should finance the work. Whether the objectives should be to increase water yield and stream flow from the land, or to prevent soil erosion and stream siltation is a major determinant of the form the program effort takes. Budget allowances and appropriations for program activity in this area tend to be small and conservative, partly because of this policy uncertainty.

The extent to which Federal range and grazing lands are to be rehabilitated and improved by direct investment of Federal funds is not a matter of formal policy declaration by either the administering agencies or Congress. While the agencies, particularly the Forest Service and BLM, continue to receive budget allowances and Congress continues to appropriate Federal funds for these purposes, the action is influenced more by the inertia of line item budgeting and a generous helping of good faith than any explicit determination that the investments are wise ones. The money is usually spent for planting different kinds of rangeland vegetation, building small check dams, contouring rangeland, soil pitting to capture rain water, brush killing to release more desirable types of vegetation, building fences to control livestock movement, and building stock watering holes or drilling wells to furnish livestock water. Undertaken sometimes in the guise of watershed protection, sometimes under the rubric of rangeland improvement, sometimes as range "conservation", and sometimes as range rehabilitation, the product of the investment and work is often a combination of all of these. Whether the objective should be to stop all soil erosion (some of which is natural), to bring all public rangeland up to "full" productivity, and for what purpose and to whose benefit has never been clearly laid out and agreed upon. Estimates have been made that it would cost more than $1 billion to recondition the Federal range, but no one has decided why or whether it should be done, or what "recondition" means. Ranchers who use the Federal range assert it is proper landlord behavior for the Federal Government to do so. Agencies believe it is good conservation. Budget examiners ask why and get fuzzy answers or none at all. Appropriations Committee staffs do not have time to dig into it, and neither do the Committee members. Inertia carries the item in the agency's budget from year to year with the level held about the same, or sometimes creeping up or sliding back with the fortunes of budget incrementalism or a "tight" fiscal year.

Investment in timber management for wood production on a scale as large as occurs on Federal forest land is expensive, and the economic and income yield is very long term. Although Congress has set one standard sustained yield for management of Federal timber land, that standard has been interpreted and applied by land administering agencies as a physical-biological standard and not an economic one. This has major implications for budgeting and financing of Federal timber management programs.

Economic and expenditure efficiency tests are not applied to budget requests for timber management appropriations. Agencies do not generally plan investments in timber land on long-term economic or financing schedules. They spend and invest more on the lines of short-term availability of money through the annual budgeting system, and a commitment to an administrative cost structure for timber management expenditures built around standardized staffing patterns, timber management planning, and sale systems that are applied somewhat evenly in most locations. The results in some instances are investments of time and effort in submarginal timber production opportunities and underinvestment in others.

Lack of cost-sharing standards and requirements for their consistent application to some public lands program activity results in inequities and in misallocation of funds.

Cost-sharing is employed widely as a public finance technique to spread cost burdens of programs involving assignable benefits to each of the participants. In a sense, cost-sharing is also a technique for stretching scarce budget dollars further in accomplishing program objectives.

Mandatory cost-sharing is not used in public land finance policy, yet, there are conditions where both intergovernmental and public-private equities are involved in financing activity on the public lands that clearly call for cost-sharing arrangements.

It is common practice in several of the land managing agencies to leave to local government the responsibility for financing and supervising the maintenance of access road and highway systems built on public lands wholly with Federal funds to serve primarily public land needs. Although these road systems also incidentally serve local transportation needs, sharing in the cost of this maintenance by the Federal Government could reflect a greater degree of fairness to local government.

There is need for clearer cost-sharing standards in financing rangeland improvements. The capital improvement work on rangeland undertaken by Federal agencies results in substantial indirect benefits to the largest single class of users, the livestock producers. Although there are now informal policies that permit livestock lessees and permittees to share in the cost of such improvements if they wish, it is a policy that operates unevenly because it is optional. Furthermore, there are no standards for consistent determination of the share of project costs to be borne by the user and by the Federal Government.

Fish and wildlife habitat work on public lands usually undertaken jointly by the states and Federal land managing agencies is another program area where cost-sharing policies appear to be called for. While the states have jurisdiction over the fish and resident wildlife, the Federal Government has primary responsibility for the public lands and waters which constitute their habitat. Cost-sharing standards which reflect an equitable division of burden for financing these closely interrelated functions have not been developed.

In programs where there is a clear basis for the sharing of financial burdens, but where cost-sharing is not used, either the Federal Government or the other party involved in the matter has to bear the entire cost if the program is undertaken at all. In the case of the Federal Government, this could lead to transfers of funds from other programs, which would then be underfinanced.

Short-term budgeting for some public lands programs creates uncertainty in investment decision-making and land development program actions, and wastes time and effort in the annual budget process.

Public land programs requiring large one-time expenditures, long-term investment commitments, or advance commitment of funds as a condition of joint project financing with another party, are often impaired or delayed and are usually made more expensive because of the way in which funds are made available in the annual budgeting and appropriations process.

Land acquisition programs are one example. Although some purchase authorization procedures usually precede budgeting for acquisition of land, budget assurances given in the authorization are at best a promise of funds to come and do not permit program action. Funds usually become available for each acquisition project only in increments in annual appropriations and full financing may take ten or more years. This permits land prices to escalate and the ultimate cost of an acquisition is virtually always higher than estimated at the time the acquisition was authorized.

Access road construction is another program area where annual financing causing delays in project completion possibly leads to inefficiencies in the use of construction contractor resources, and usually results in higher program costs. Cooperatively financed range improvement work between land management agencies and lessees or permittees is often delayed and frustrated by the timing of fund availability or only partially completed and stopped because the Federal funds made available in small amounts dried up. Projects of this nature often do not materialize because advance commitment for financing the Federal part of the work cannot be given before appropriation bills are enacted each year.

Long-term capital investments for most resource development programs administered for all classes of Federal lands are in the same category. Timber stand development and improvement, wildlife habitat and stream improvement projects, and long-term rangeland rehabilitation programs wait on the erratic flow of relatively small amounts of money metered out through the yearly budget action. The uncertainty created by annual financing practices for these kinds of public land programs produces hesitancy and indecision in program planning and resource development and generates inefficiencies in administration and management and diseconomies in the use and development of public land resources.

The necessity to reconsider each of the annual requests for these investments of one-time costs also packs the budget with a large number of items that do not have to be reviewed and acted on each year by busy decision makers in the executive branch and Congress.

Separation of appropriation and expenditure decisions from legislative decisions may preclude adequate coordination between public land policy making, its execution, and oversight at the congressional level.

The degree of effort devoted to different aspects of public land investment and management is determined by the amount of money provided through the budget and appropriation process. So is the form that the effort takes, as well as the emphasis given to various national, regional, and local program elements. Budget and appropriation decisions determine the implementation of public land policy in the field, regardless of expressions of policy found in the statutes governing the management and disposition of public lands. The responsibility in Congress for considering these decisions and recommending formal action rests with the Appropriations Committee in each House.

Separation of decisions affecting the level of effort and emphasis in public land programs from the legislative policy-making responsibilities for public lands, which are assigned to legislative committees, tends to break the continuity between policy-making and its execution. There are no formal arrangements in the Congress for coordinating this continuance, other than the conduct of periodic reviews of agency programs by the standing legislative committees. These program review efforts are generally unorganized. They tend to be after-the-fact considerations of what has already taken place, based on either reaction to a controversial administrative action, or an isolated case of follow-through on a specific piece of legislation of interest to the particular committee involved. They are not generally planned specific previews of what an agency intends to do. Even when such previews are conducted by legislative committees, action considerations for implementation are still the responsibility of the Appropriations Committees. 1/ Some specific examples of relationships between policy implementation and appropriations decisions illustrate this point.

1/ In the House, the Chairman of the House Interior Committee appears annually before the Appropriations Subcommittees involved and testifies on overall programs; in the Senate, ranking members of the Interior Committee are also members of the Appropriations Committee.

The level and nature of the effort applied by the Geological Survey and Bureau of Mines to the mineralization surveys of established and new wilderness area candidates under the Wilderness Act of 1964 are decided largely by available financing. Initial financing was proposed in the fiscal 1967 budget and reviewed and supported by the Appropriations Subcommittees on Interior and Related Agencies in both Houses without extensive coordination with the standing committee on Interior and Insular Affairs in either House. More than a year later, the level of effort initially decided by appropriations actions was determined to be inadequate to satisfy the intended purposes of such mineral surveys.[2]

The Alaska Statehood Act provides for a grant of some 104 million acres of public domain land to the State, with the State given 25 years to complete the selection of such lands. Before the public lands can be conveyed to the State, they must be surveyed by the Bureau of Land Management. The level of increased financing provided to BLM shortly after statehood did not keep pace in succeeding years with the increase in the new state's capacity to select lands at a faster rate. The action recommended by the Appropriations Subcommittees and adopted by the Congress did not provide the level of effort required to keep pace with State selection efforts, although both standing Legislative Committees and the Appropriations Committees were continuously informed.

Although there has been a significant backlog of national park and recreation area authorizations established by statute (a responsibility of the legislative committees) and although delay in actually acquiring the land has resulted in continuing price escalation of the lands authorized for purchase, annual appropriations for this purpose to the

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[2] This example involves a second step: The determination of wilderness status is the ultimate responsibility of the standing committees which can (and have) later said in effect that the data submitted are or would be inadequate to permit determination on the merits and that additional surveys would be required before legislative action could go forward.

National Park Service have been consistently reduced in the President's Budget, and therefore in the appropriations, because politically it is unrealistic to expect the Congress to increase amounts recommended by the Chief Executive except in cases having great political appeal; i.e., different philosophies relative to education programs, etc. An impasse occurs when appropriations do not fulfill the authorization promise leading the legislative committees to hesitate to proceed with new authorizations.

Although public land programs lend themselves to analysis and evaluation for cost effectiveness and values generated by outputs on a local and regional basis, they are not so treated for decision-making purposes.

The significance of most public land outputs is local and regional in nature. Increased water yield or improved water quality produced as a result of land treatment generates values that are more clearly related to needs of water uses in the locality or the region than to the country as a whole. The relationship between costs of treating the watershed and the magnitude of near or distant downstream values generated is peculiar to the nature of the given watershed, the product that it yields, and the specific downstream circumstances that are influenced by that watershed. However, by the time a budget reaches the national level for action in either the executive branch or in Congress, the specific relationship between costs of planned watershed work and values generated is no longer presented as part of the information that determines whether and how much investment should be made.

The use of public range land by domestic livestock supports local ranching operations that are the only ones located near enough to the public lands to use the land for grazing. These ranches provide income to the operator and have an important impact on the local economy. Proposals to invest public funds in improving grazing capacity are not supported when they reach the national level, other than in limited instances of a research nature, with specific information about the increased operator income and increased level of local economic activity that will occur with a given amount of investment. Thus, tests of cost effectiveness, the economic efficiency of the proposition, and comparisons with the results of similar investment proposals elsewhere on public lands are not possible.

Tests of cost-effectiveness, economic impact, and economic efficiency made at the national level are not valid unless there is information on the nature of these relationships at the basic production level. Thus, the judgments of those who control formulation of the budget at the bureau chief or departmental level and at the Bureau of the Budget and determine the level of appropriations for these programs are made without information that shows accurately some of the most important effects of public land programs.

PROBLEMS OF ADVISORY SYSTEMS

The use of citizen advisory groups in public land matters is widespread, perhaps more so than in other areas of public policy. Generally speaking, advisory groups are used by public land agencies to provide information for use in making policy and program decisions, to react to agency proposals for changes in existing policies and programs, and to provide a channel of communications between the agency and various interested citizens and citizen groups. The specific role of advisory groups with respect to Federal agency decisions is occasionally unclear, but generally they provide advice only and have no authority or responsibility for actual decisions.

Two of the major groups of public land advisory boards are authorized explicitly by statute: the grazing district advisory boards authorized by the Taylor Grazing Act and the so-called G-7 and G-10 grazing boards authorized by the Granger-Thye Act for the national forests. Most other boards have been established without explicit statutory authority since there are no statutory prohibitions as to establishment of such boards. Advisory boards are used by all public land agencies. The Forest Service in particular makes widespread use of advisory groups at the local and regional levels.

The Taylor Act and Granger-Thye Act have specific membership requirements that provide for representation primarily of the grazing interests, since they deal primarily with matters affecting grazing of domestic livestock; both also have limited representation of wildlife interests. Other than the membership requirements, the statutes are largely silent as to the operation of the board. The major directives as to the operation of advisory boards generally are contained in Executive Order 11007 of 1962, which has provisions for chairmen of advisory boards, formulation or approval of meeting agendas, recording of minutes of meetings, and authority for calling meetings. This executive order was intended to assign control over advisory boards to Federal employees.

It is fairly common practice for the public agencies to use ad hoc advisory boards to deal with problems that crop up from time to time. These "blue-ribbon" boards in a sense complement the work of the regular advisory boards. Typically, the problems with which they deal are broader in scope, perhaps having greater regional scope for example, than the responsibilities of a regular advisory board. Where specific problems have created enough controversy to warrant appointment of an ad hoc board, at least some people from outside of the area of the immediate problem are usually appointed to the ad hoc board to assure its impartiality.

Advisory groups are generally intended to serve as a means of obtaining citizen viewpoints to supplement the other channels of communication in the Federal political system. While generally established by administrative agencies to provide information at the various administrative levels, they can also be used by cabinet level political appointees and by the legislative branch to supplement the information they receive. Their existing role and possible future role in public land matters is not well defined. They could have an increasingly important function, particularly as land management becomes more complex and affects more people. The following problems appear to warrant attention.

The place of advisory groups in public land management is not well defined in statutes both with respect to their general use by the public land agencies and with respect to their role in the decision-making process of the agencies.

With a few exceptions, advisory boards have no specific statutory authority and their role is not clearly defined. While the public land agencies have established numerous boards, the relationship among them is not defined; it appears in fact, that each board exists quite independently of the others, whether this is the most useful arrangement or not. The kinds of problems or matters that are appropriate for consideration by the boards, or that are inappropriate for their consideration, are matters left largely to the discretion of the administrator. The role of advisory boards in rule-making is not specified except for the grazing district and national forest grazing advisory boards. The Taylor Act requires the Secretary of the Interior to ask for the district board's advice prior to promulgating regulations affecting the district, while the Granger-Thye Act requires the Secretary of Agriculture to do essentially the same with national forest grazing boards and, furthermore, to give the boards in writing the reasons for not accepting their recommendations if this be the case. Similar participation by other advisory boards, such as the national forest multiple-use boards, is not required, nor is it even mentioned as a possible function of these boards.

The place of advisory boards in the decision-making process of the public land agencies is also a matter that leads to problems, partly because it is not clearly defined in statutes. The district grazing advisory boards established under the Taylor Act at one time had a very considerable influence on the decision of the Grazing Service and then BLM, although their role in the decision process has been lessened in recent years. Most other advisory boards have had only an indirect role in actual decisions. It has been suggested by some groups that advisory boards be given a direct role in such public land decisions as access road locations, selection of timber sale areas, and approval of management plans.

The role of advisory boards with respect to Congress has never been well developed, although it is here that providing information by informed citizens in an organized manner has its greatest potential. Congress is faced with an impossibly large workload and, at the same time, is beset from all directions by groups offering advice as to the best policies for the public lands. Advisory boards would provide one means of providing advice to Congress, if it so desired, in an organized manner and they would, at the same time, serve as an effective countervailing force to various groups with narrower interests, such as the organized lobbies.

The lack of membership requirements or narrow membership requirements limit the representativeness of advisory boards and limit their effectiveness in providing policy and program advice.

In the two cases where membership requirements are fixed by statute, advisory boards are largely limited in their possible role in providing advice to matters that involve grazing on public lands even though other land use problems may warrant the attention of advisory groups. In the case of the Forest Service, there is even some potential for conflict between the G-7 and G-10 grazing advisory boards, whose membership is made up primarily of ranchers (a statutory requirement of the Granger-Thye Act), and the so-called multiple use boards, which may be established for national forests that also have G-7 or G-10 boards.

Generally, and with the exception of the grazing boards, advisory groups in public land matters are intended to represent a broad spectrum of the public. Although it is difficult, and perhaps impossible, to identify advisory groups that fail to provide a broad spectrum of citizens or that are in effect "controlled" by a particular viewpoint, there is no assurance in law that this will not be the case.

Lack of statutory guidelines for the conduct of advisory groups leads to their misuse in some cases by public land administrators or by members of the groups.

One common complaint about advisory groups is that they are merely "window-dressing" and are used by administrators to approve decisions that have already been made. Another common complaint is that the groups are used by those who dominate them as a tool to force administrators to take actions that are not in the public interest. There is some truth in both assertions depending on the particular advisory groups that is involved and on the rules under which it operates.

The only general rules available to the agencies are those contained in Executive Order 11007. Other than in the Taylor Act and Granger-Thye Act, the Congress has not expressed itself as to the proper conduct of advisory boards in public land matters. Lack of statutory guidelines with attendant oversight by the Congress leaves room for manipulation of such groups and does not take full advantage of them as a possible aspect of participatory management of public lands.

(followed by III-0)

SECTION III

ALTERNATIVES

MAJOR REORGANIZATION ALTERNATIVES

A. Creation of a New Department

Alternative No. 1 - Establish a Department of Natural Resources.

This alternative has been proposed in a number of forms over at least the past three decades. The proposals for a Department of Natural Resources are intended to group most or all Federal programs dealing with natural resources under a single administrative organization so that programs can be coordinated without involving the Secretaries of two or more departments, which is now the case in many instances. In addition, this proposal is intended to pave the way for increased efficiency of operations by removing some of the organizational obstacles to other changes in policies and programs. Nearly all proposals suggest that the Department of the Interior programs be the core of the new department, which would have programs from other departments transferred into it. The transfer of some functions out of the existing department (e.g., the Bureau of Indian Affairs) is sometimes proposed.

A key feature of nearly all proposals is the transfer of the Forest Service from the Department of Agriculture to the Department of the Interior and this is the part of the proposal that involves public land programs to the greatest extent. The Forest Service is the only agency administering major public land areas that is not in the Department of the Interior.

Many of the proposals include the transfer of Corps of Engineers civil functions to the new department where they would be combined with the Bureau of Reclamation program. To a limited extent, these functions involve public lands, particularly in connection with reservoir sites in public land areas. Some proposals also suggest the transfer of the parts of the Soil Conservation Service programs that deal with small watershed project construction and with private forests and woodlands. While these programs are not developed on the public lands as such, they are related in the sense that they deal with lands similar to some of the public lands, even though they are private.

Advantages: The transfer of public lands and other natural resources functions of the Federal Government to the Department of the Interior to form a Department of Natural Resources would give a single organization control over a variety of programs that are closely related and require a great deal of coordination. It would place the responsibility for resolving conflicts between natural resources agencies at the level of the Secretary of one department, instead of requiring the actions of two or more Secretaries, as in the case of the North Cascades and Redwoods National Park issues.

The preparation of coordinated budgets for natural resources programs would be enhanced. Under the present organizational arrangements, timber programs for the national forests, water development programs for the Corps of Engineers, and recreation programs for the National Park Service are all treated differently in the preparation of budgets because of the differing role of each of these programs within the overall departmental budgets. Even though the programs all deal with natural resources, the emphasis and attention each receives are quite different.

Efficiency of overall operations would probably be improved. The ease with which changes in boundaries of administrative units could be made, for example, would be improved if both the Forest Service and the Bureau of Land Management were under a single department head. There are numerous instances now where it appears that boundary adjustments between the Forest Service and BLM would make it possible to use field offices and personnel more efficiently, even though many land exchanges have been to ease this problem. Simply transferring agencies would also make possible some reduction in overhead personnel and costs even in the near future. At the Washington level, there would be a reduction in paperwork and coordination meetings now required because some of these programs are in different departments. At the field levels, much the same sort of changes could be made and, in addition, some field offices could be consolidated. It would also be easier to combine the provision of services or technical functions for all public land agencies. To some extent, personnel and other administrative functions are already being provided on a regional basis in individual agencies, such as BLM, but this concept could be extended to all public land agencies with likely reduction in costs.

Improved coordination of natural resource programs at the Washington level through creation of a Department of Natural Resources could also improve coordination at the field level. Secretary of the Interior Chapman established the regional Field Committee system in 1949 to coordinate field programs. After 20 years, these committees have achieved a degree of administrative coordination among the regional level programs, although the overall autonomy of the individual bureaus at the Washington level has limited somewhat the effectiveness of this coordination effort. Nevertheless, placing other natural resource and public land programs under the umbrella of the regional Field Committees would be one of the advantages of this alternative.

Disadvantages: Placing all Federal natural resource programs in a single cabinet agency suggests that the Secretary is more effective in coordinating programs than he may actually be. The Department of the Interior is sometimes characterized as a collection of independent, uncoordinated, and in practice unrelated bureaus over which the Secretary has little control. Attempts have been made to strengthen Secretarial control. For example, Reorganization Plan No. 3 in 1950 transferred authority for all functions and employees, with two exceptions, in the Department of the Interior to the Secretary, which gave the Secretary considerable control that he did not have previously. However, the size and political leverage of the bureaus relative to the small size and structure of the Secretariat have limited the real increase in control.

It is sometimes argued that the Department of the Interior is "political" and "unstable" and that any agency transferred to it would be subject to undesirable pressures. This has often been said to be the reason that the Forest Service was transferred to the Department of Agriculture and has been one basis for its wanting to remain there. This appears to be less true today than it may once have been and, furthermore, is subject to oversight by the Congress.

There would be short run disadvantages caused by the dislocation of personnel, but this could be minimized. The departments losing programs would, in a sense, be disadvantaged, but this is a matter of concern to the Federal bureaucracy rather than to the country as a whole.

Variation No. 1-A - Transfer the Forest Service to the Department of the Interior.

As indicated above, this is the heart of most of the proposals to create a Department of Natural Resources, but would be a major step toward consolidation of natural resources functions even if only accomplished by itself. The chief public lands function of the Forest Service, and the major part of its programs, is the administration of the national forests. It is sometimes suggested that only this part of the Forest Service program be transferred to the Department of the Interior, but some also suggest that the state and private forestry and research branches be transferred. Transfer of the latter two functions would give the Department of the Interior two functions that it does not now have that are related in some respects to its public land programs.

This alternative is intended to eliminate some of the barriers to coordination of Forest Service programs with the Department of the Interior programs and to eliminate some of the barriers to boundary adjustments and consolidation of functions in the overall administration of the public lands. In addition, it would provide the Department of the Interior with a well organized and developed research and cooperative program if the research and state and private forestry branches of the Forest Service were included in the transfer.

Advantages: This transfer would ease the problems of coordination of public land programs by placing all of the major land administering agencies in the same department. Coordination would be furthered particularly by giving all public land programs and budgets essentially the same kind and degree of attention and surveillance.

The incorporation of the Forest Service in the Department of the Interior would add a bureau well-known for its level of professionalism, espirit de corps, and competence. It would further interbureau personnel transfers in the public land agencies, which would broaden the outlook of all of the bureaus. And it would lead to increases in administrative efficiency, which may be small at the beginning, but could be expected to be fairly substantial over time.

Disadvantages: There appear to be few real disadvantages of this transfer. It is sometimes argued that the Forest

Service is able to operate effectively because its programs are so different from the larger primary programs of the Department of Agriculture, that they are of secondary political concern to the Secretary, command less attention, and are therefore quite autonomous. However, granting strong autonomy to individual government programs can hardly be said to be a real advantage from the point of view of the general public.

It is also argued that the Forest Service programs are closely related to such Department of Agriculture programs as the private land programs of the Soil Conservation Service. However, its public land programs are clearly more similar to those of the Bureau of Land Management, Bureau of Sport Fisheries and Wildlife, and National Park Service, all of which are in the Department of the Interior. In addition, both the Bureau of Land Management and the Geological Survey carry out specific programs on the national forests.

The alleged disadvantage that the Forest Service would be subjected to the political atmosphere and instability of the Department of the Interior may once have been important, but it appears to be of little importance today.

Alternative No. 2 - Establish a public lands corporation.

It has been proposed from time to time that the public lands be administered by a public lands corporation, which would be established independently of the existing cabinet structure of the Executive and would manage the public lands assigned to its jurisdiction on much the same basis as a business enterprise. This alternative would adopt this concept for lands now administered by the Forest Service and Bureau of Land Management, although the concept could be adopted for all public lands or only for those with programs primarily of a business nature. In the latter case, only a portion, albeit a large one, of the national forests and grasslands would be transferred to the corporation. In a sense, the operation of this corporation would be similar to that of the Tennessee Valley Authority.

Marion Clawson suggests the following criteria that should be met by a government corporation:

1. Its program is primarily of a business nature.

2. Its activities are revenue-producing and potentially self-sustaining.

3. Its work involves a large number of business-type transactions with the public.

4. It requires greater flexibility than the customary type of appropriation budget ordinarily permits.

To a considerable extent, the public lands administered by the Bureau of Land Management and Forest Service meet these criteria.

A public lands corporation would be chartered by Congress; members of the board of directors would be appointed by the President and the Congress would have authority to review its program. Borrowing authority would have to be provided so that the corporation could make necessary investments. Funds for investment would also be provided through retained earnings and depreciation schedules just as in a private corporation. Funds would not be appropriated by the Congress, although Congress could at any time review the manner in which programs were being handled and funds expended. Surplus funds would be transferred to the Treasury if they occur, although the fact that the corporation would still be responsible for the nonrevenue-producing programs of the Federal Government on the lands it manages would perhaps limit the extent to which real surpluses would occur.

The purpose of this alternative is to provide for the efficient management of those Federal public lands that are used primarily for business type activities.

Advantages: This alternative would remove some of the inflexibilities of administering public lands from the management of those lands that can most readily react to more flexible management. For example, the usual budgetary and appropriations process would not apply to a public lands corporation and, as a result, the corporation managers could take advantage of opportunities for investment as they arise.

Separation of the major revenue producing lands of the Bureau of Land Management and Forest Service and placing them under the administration of a public corporation would clarify the administration of these lands and also of those lands that remained under the administration of the executive branch agency. To some extent, this distinction would leave lands primarily valuable for nonrevenue producing activities, such as hunting, fishing, and wilderness enjoyment, in the executive branch and these activities would not be emphasized on the lands managed by the corporation. Thus, conflicts between market and nonmarket uses of the land would tend to be minimized to a greater extent than they are today. The corporation would have the incentive of a business organization to adopt the most efficient management practices and, in this sense, could serve as an example and standard for the operation of the public land agencies.

The operation of a public lands corporation would be self-regulating to some extent and would, as a result, reduce the amount of effort that now goes into supervising programs and watching over the day-to-day operations of the public land agencies.

Disadvantages: Separating the revenue-producing public lands from the others could disrupt the existing land uses and make administration of the land considerably more difficult than it now is. Both the Forest Service and BLM would be left with a much more scattered ownership pattern. Of course, the distinction between revenue-producing lands and the others is not a clear one and this could limit the presumed efficiencies of operation inherent in a corporation type enterprise. The corporation could end up with substantial responsibilities for nonrevenue-producing activities.

A corporation would be subject to considerably less control by Congress, and to some extent, by the President. It would operate without the annual review of its program that is a part of the appropriations process, although the Congress would have to have some sort of review procedure. The kinds of decisions the corporate managers would want to make particularly in cases where a revenue-producing activity conflicts with a nonrevenue-producing activity may be the opposite of what Congress and the Executive want, but they would not have the leverage inherent in the budgeting and appropriations process to force their will on the corporation.

B. Reorganize the Public Lands Agencies on a Regional Basis.

Alternative No. 3 - Establish major regional organizations that would take over the public land administering functions of the Forest Service, Park Service, Bureau of Sport Fisheries and Wildlife, and Bureau of Land Management.

Adoption of this alternative would result in some 8 to 12 regional organizations that would be responsible for the administration of all public lands within the region. Although the National Park System, National Wildlife Refuge System, and National Forest System all would be retained as defined land units, the Park Service, Bureau of Sport Fisheries and Wildlife, and Forest Service, as well as the Bureau of Land Management would be assimilated into a single regional organization for each of a number of regions. Within each regional organization, major line divisions would still be retained for administration of the National Park System, the National Wildlife Refuge System, and perhaps the National Forest System.

Each regional organization would be responsible, under general statutory direction, for developing its programs depending on the particular characteristics of the region and for preparing its own annual budget for submission. Appropriations would go directly to the regional organizations to meet program needs. "Outreach" programs, such as the state and private forestry program of the Forest Service, would be made part of each regional organization since these programs are largely regional in character. Research programs, on the other hand, would not be included because they often are not regional in character. Regional boundaries should be coincident with political boundaries, preferably state lines, because of the relationship between the public land programs and the operation of state governments. All regional organizations would operate under the same broad policies, but the programs in each region might differ according to the particular resource, economic, and environmental circumstances peculiar to the region.

This alternative is designed to overcome the problems of centralization and vertical uniformity associated with the splintered organizational structure of public land programs at the national level, which stand in the way of comprehensive land use planning for all Federal lands in a region and the full adaptation of policies, practices and Federal land budgets to the needs and conditions of a region.

Advantages: This approach to public lands administration would be conducive to formulation of programs to meet the special needs of the individual regions. With the present national organization of these agencies, response to the special problems of each region is balanced against the national caste of program formulation in Washington. It would locate much of the overhead personnel and organizational machinery closer to the problems. It would provide an organizational means of coordinating regional programs that are now uncoordinated, and that could not be accomplished as effectively merely by imposing a coordinating superstructure over the present autonomous field organizations of the separated Federal land agencies.

The submission of public land budgets on a regional basis would provide more meaningful information for evaluating public land budgets than now exists. It would also require a balancing among public land programs, such as parks and refuges, at the regional level where the real pressures on different classes of land are felt most strongly. Further, it would lead to the comparison of regional budgets when they are submitted to Washington, which would overcome one of the current problems of budgeting, namely the lack of clear regional program budgets for comparing the efficiency of expenditures in various regions. This is particularly important for the public land agencies, which deal with a wide range of kinds and quality of lands and resources.

Placing the existing agencies together in a single regional organization for each region would ease the problems of shifting programs or lands among land management organizations or divisions to achieve maximum program efficiency. Placing all public lands administration under a single regional administrator would accomplish much of what some hope can be accomplished with a Department of Natural Resources, which would include the public land agencies, but which would not necessarily occur merely as a result of the creation of such a department.

Disadvantages: A change from the existing organizational structure of the public land agencies to a regional organizational structure would result in the loss of some of the important advantages of large centralized organizations, including the centralization of special administrative or technical functions, consistent practices from one region to the next, and equal treatment in the budget process of programs in the various regions. The opportunity to move personnel from one region to another to broaden their experience is also an important aspect of developing top-level people for jobs in Washington. The reduced likelihood of interregional personnel transfers, which would be one result of largely independent regional organizations, may result in regional organizations that are inbred and lack responsiveness to national needs.

Regional organizations could also become very political in the sense of being tied, with little countervailing force, to the congressional delegations from each region and thus strongly influence by changes in the seniority of individual Congressmen. Programs of public land agencies today depend in part on the relative strength of individual Congressmen. However, the nationally based executive agency is able to balance the regional programs over which it has jurisdiction and this strength would be lost to some extent in a regionally based organizational structure.

Variation No. 3-A - Establish a Public Lands Commission to which the regional organizations would report.

Regional organization of public lands administration will still require some organization at the Washington level to which it will report. One alternative is to establish a Public Lands Commission, which would be an independent commission fashioned along the lines of the Federal Power Commission. This would remove the public lands functions of the Forest Service, Park Service, Bureau of Sport Fisheries and Wildlife, and Bureau of Land Management from the executive branch departments and place them in an independent commission.

Assignment of all public lands to such an independent agency is consistent with the purposes for which regulatory commissions are structured. Instead of the regulatory function being related to an industrial or business activity, in this case it would operate to oversee and regulate the regionalized administration of the Federal property. The purpose of a regulatory and adjudicatory commission at the national level would be to assure that regional differences in policy are justified, that an appeals system is operated with objectivity and fairness, and that the detailed oversight and specialized policy making functions, which now fall on committees of Congress, are carried out by a body that organizationally is not only part of the executive branch, and which is responsive to Congress without being wholly subserviant to it. It would operate in some respects much as the Federal Reserve Board now does with respect to its regional banks.

As in the regulatory commissions, commissioners would be nominated by the President, approved by the Senate, and serve for staggered terms of perhaps 5 to 7 years. The commission would present budgets for the regional organizations and oversee the administration of the regional programs. It could provide all of the usual administrative services, such as personnel, for the regional organizations or this aspect of its work could be minimized.

This is an alternative to the creation of a Department of Natural Resources to the extent that it would combine the Forest Service programs with those of other land administering bureaus at the national level. It is intended to deal with the problems of coordinating what are in fact regional programs at the national level and providing for resolution of conflicts under a single administrative head.

Advantages: This alternative would place all major public land programs by themselves in a single national agency and thus provide the Congress and the President with a single point on which to focus their attention with respect to public lands. Placing these functions in a commission would give the Congress somewhat greater control than it has with these functions in the executive branch. It would result in a single administrator having authority for coordination of all public land programs. It is an alternative to a Department of Natural Resources that achieves part of the purpose of such a department (merging of public land functions) that would at the same time have a greater regional focus than the existing agencies have and would be more responsive to the Congress. Because of the varied nature of the public lands, Congress must allow considerable administrative discretion; this alternative, however, would place the operation of this discretion in a more readily visible and controlled organization.

Disadvantages: This approach would create a new organization and would add to the number of organizations to be watched by the Congress and the President. It would take the public land functions out of the existing departments, but would still require that lines of coordination between the commission and other government agencies be established. Such coordination has not always been effective in the past where public land programs are related to activities of regulatory commissions such as, for example, those of the Federal Power Commission.

Variation No. 3-B - Have the regional organizations report directly to the Secretary of the Interior.

This approach would do away with any Washington level administrative organization to direct the programs of new regional organizations other than in the Secretary's office, or in the office of an Assistant Secretary. Such an approach would be very similar to that used now for the Bonneville Power Administration and the Southwestern and Southeastern Power Administrations in the department.

The alternative is intended to provide for national coordination of the regional programs without having Washington office overhead diverting much of the effort away from the field offices where the problems exist.

Advantages: This alternative would reduce the operating programs at the Washington level to the maximum extent possible. It would clearly place the responsibility for coordinating and balancing regional programs at the level of the Secretary. To the extent that coordination with other Department of the Interior programs is required, it would keep this responsibility wholly within the department (as contrasted with the previous alternative, a Public Lands Commission).

Minimizing the Washington level overhead of the regional organizations would help to assure that these organizations are in fact as regionally oriented in their programs as possible.

Disadvantages: Placing the responsibility on the Secretary's office for coordinating all aspects of regional programs and for representing each regional organization in matters in which they have an interest would expand the workload of the Secretary's office, although it would not require a staff anywhere near as large as that now maintained in Washington by the public land operating bureaus. The Secretary's office, with its many and varied responsibilities, however, may not be an appropriate place to maintain an additional large staff. On the other hand, an Assistant Secretary for public lands could maintain operational control over the regional organizations if this were his only responsibility. Eliminating the fairly strong operational organizations at the Washington level that are based in the civil service and shifting this responsibility wholly to the level of the Secretary or an Assistant Secretary could result in these programs becoming highly unstable because of political pressures.

Alternative No. 4 - Establish regional organizations that would coordinate public land programs of the Forest Service, Park Service, Bureau of Sport Fisheries and Wildlife, and Bureau of Land Management and prepare and submit public lands plans and budgets for each region.

This alternative would retain the existing structure of the public land agencies. However, it would require the establishment of regional coordinating boards made up of representatives of the public land agencies. The structure of a regional board would be similar in a sense to that of the Comprehensive River Basin Planning Organizations organized under the Water Resources Planning Act, which are made up of departmental representatives, except that each bureau would have equal representation instead of each department having equal representation. A small permanent staff for each regional board would be required.

The functions of the board would include the coordination of regional programs, primarily through the development of regional land use and program plans, and preparation of coordinated regional budgets for public land programs. Approved plans and budgets would be submitted to Washington for coordination with those of other regions.

This approach is intended to provide a structure for coordination at the regional level in a manner that would be least disruptive to the existing organizational structure of public land agencies.

Advantages: This alternative would formalize requirements for coordination at the regional level. Existing coordination is spotty at best, in part because it is not mandatory and in part because coordinated land use plans, programs, and budgets have no operational meaning unless provision is made for their submission for approval; these problems would be overcome by this alternative. Requiring that specific programs be incorporated in a coordinated land use and program plan and that the plan serve as a basis for a coordinated regional budget would give operational meaning to the term "coordination", would force the individual bureaus to take this coordination seriously, and would establish a basis for evaluation of public land programs by the Washington hierarchy, including Congress.

Where lands administered by different bureaus are adjacent or where programs of the land management agencies involve coordination with the state or local governments, this alternative would provide an organizational focal point and a mechanism for assuring that coordination takes place. For example, management of elk herds in the Yellowstone Park area involves not only the Park Service and Forest Service, but also the wildlife management agencies of Wyoming, Montana and Idaho. A regional coordinating board for the public land agencies would be a vehicle for coordinating Forest Service and Park Service programs with those of the interested states and eliminate some of the problems inherent in having two agencies coordinating individually with the states.

Disadvantages: Coordination by individual bureaus at the regional level, with each bureau having equal representation, could prove to be relatively ineffective as long as one bureau, the Forest Service, is in a different department than the others. When coordinated regional program plans and budgets are submitted to Washington, the Department of Agriculture may view and respond to the plan in a quite different manner than the Department of the Interior. The plans as submitted by each region may be useful to the Bureau of the Budget and to the Congress if they got that far, but would have little formal meaning until approved by the departments. Coordination on programs can give the appearance of being meaningful, but in reality have little significance.

C. Combine Bureau Functions

Alternative No. 5 - Combine the Forest Service and the Bureau of Land Management and place in the Department of the Interior.

Although the Forest Service is responsible for the administration of public lands reserved from the public domain and the Bureau of Land Management is responsible for the administration of unappropriated public domain lands, much of which are still subject to possible appropriation, the land management and administration programs of the two bureaus are very similar. Both are authorized by multiple use laws to manage lands under their jurisdiction for a variety of outputs. The Forest Service manages more timbered lands than the Bureau of Land Management, while the reverse is true for range lands. The BLM is also responsible for cadastral surveying and some aspects of Federal programs on all public lands, including the national forests.

Despite these differences, the two bureaus have broadly similar functions and administer lands that are broadly similar. In fact, in many areas lands administered by the two agencies are contiguous or even intermingled. Much of the national forest area in the West is in the higher elevations and thus may be surrounded to some extent by BLM lands. There are a number of cases where Forest Service and BLM administrative offices are located in the same town.

The Forest Service and the Bureau of Land Management have had quite different histories. The Forest Service has had a long history of "professionalism" and a devotion to a "land management ethic". The BLM is a relatively new bureau and grew out of the General Land Office, whose program was directed almost entirely at the disposal of public lands and which historically had little in the way of a management ethic. However, professionalism and a sense of land management responsibility have developed rapidly in recent years in BLM.

This merger is intended to eliminate the problems of interagency coordination that exist where two bureaus have such similar functions and to eliminate administrative inefficiencies caused by two agencies doing the same work and, to a considerable extent, in the same areas.

Advantages: The advantages associated with a transfer of the Forest Service to the Department of the Interior would, of course, be obtained with this alternative. In addition, merger of the Forest Service with BLM would result in a substantial increase in the amount and kind of management inputs available to the lands now administered by BLM because of the relatively large size and scope of the Forest Service. Merger and integration of the two bureaus would make available the long managment experience of the Forest Service for some of the still major land management problems facing BLM.

It is sometimes argued that it is a good idea to maintain separate agencies responsible for the same function or functions so that competition among the agencies will lead to the selection of the best possible programs. (This argument, of course, if carried to its conclusion, would suggest that BLM be given responsibility for management of half the national forests in the Eastern States, since competitive pressures in the West where BLM programs now exist, would hardly suggest appropriate programs for the East.) However, organizational separatism also can lead to differences in programs just to justify separate programs.

While improved coordination of programs would be an important likely result of adopting this alternative, this is an organizational merger that also has a high potential for improvements in administrative efficiency. Since the functions of the two bureaus are broadly similar and their lands are often adjacent, efficiencies could be obtained by combining administrative units and overhead personnel and programs as, for example, in the O&C area of western Oregon and in central Idaho where BLM and Forest Service lands are closely intermingled. In such cases, coordination of access road construction programs, for example, would no longer be required. The problem of surveying and marking exterior boundaries of public lands to permit control of land use and prevent trespass would be reduced. Existing boundaries between Forest Service and BLM lands, which follow the rectangular survey system, would be eliminated and management units could be set up to coincide with watershed or other resource boundaries. Integrated management of lands for grazing domestic livestock, and for wildlife for that matter, would be enhanced.

Disadvantages: Real disadvantages, other than the problems of transferring personnel associated with any such organizational change, appear to be minimal. If the distinction between reserved lands and unappropriated public domain is retained in the future with respect to appropriation of lands, some confusion could result, although this may not be significant.

Alternative No. 6 -- Centralize public lands and natural resources oriented research in a single research organization in the Department of the Interior.

This alternative does not deal with public land programs as such but rather with an important function that is closely related to, and perhaps necessary for, intensive management of the public lands. It would involve the transfer of the Forest Service research function to the Department of the Interior and the combining of this function with the research functions of the Bureau of Sport Fisheries and Wildlife, Bureau of Outdoor Recreation, and perhaps some research functions of the Geological Survey.

Within the Department of the Interior, this could result either in a new bureau devoted entirely to public lands research or the assignment of these research functions to one of the existing agencies such as the Bureau of Land Management. The fact that these research functions would be generally oriented toward public lands suggests that the function either be in a new bureau or in BLM rather than in one of the bureaus that now have a research program.

This alternative is intended to give the public land administration functions of the Department of the Interior the strong research support that it does not now have.

Advantages: The Department of the Interior lacks a strong research program related to management of the public lands and natural resources partly because what research functions it now has are scattered among several agencies and partly because the orientation of the Department of the Interior's research efforts has not been directed to public land management. With the exception of a short-lived program in range management research that terminated in the mid-1950's, the Bureau of Land Management has never had and is not now considered to have authority to conduct broad programs of land resource research. Although the National Park Service engages in certain types of ecological research associated with problems in the management of individual areas it administers, this effort is narrow, very decentralized, and the program effort is small. Much Park Service effort of a research nature is conducted in the fields of archeology and history associated with the preservation and acquisition of new areas for its administration, or in support of interpretive programs for areas and sites presently under its administration.

Although some research is conducted by the BS&FW with regard specifically to the lands under its administration, much of the research program of the bureau is concerned with the physiology and life habits of birds, animals, and aquatic life not related specifically to lands administered by the agency.

One of the largest research programs in the department is the minerals research program of the Bureau of Mines (mining beneficiation, and properties of minerals), the Geological Survey (geology), and the Office of Coal Research. The department also carried on large in-house research efforts in saline water conversion, water pollution and pollution control, and hydrology, and conducts a program of grants in support of a broad national effort in water research. The department has extensive experience in commercial fisheries research, and more recently has started developing a large body of knowledge in the field of outdoor recreation. However, these programs are generally not aimed directly at the problems of public land management.

Transfer of the Forest Service research function to Interior and using it as a core around which other land related research could be built would centralize land related research in the department. While it is perhaps too strong to say that administration of public land programs in the department has been weak because of the small size and dispersal of research programs in the department, a strong program would, with a high degree of probability, improve land management programs, particularly as their complexity increases as a result of increased pressures and the growing importance of environmental concerns.

Particularly if the Forest Service were to be transferred to Interior, but even without such a transfer, centralization of land related research in Interior would improve the responsiveness of research programs to the needs of land management by shortening the lines of communication between the research organization and the major land management agencies. Such centralization would also improve the flexibility of the research program to meet new and emerging problems by increasing the scope and size of the present research functions.

Disadvantages: Transfer of the Forest Service research program to the Department of the Interior is at the heart of this alternative, which would be largely ineffective without such a transfer. The Department of Agriculture's sizable research program and its orientation to research over a long period of time undoubtedly provide some advantages to the Forest Service program that would be lost if it were transferred to Interior. Coordination and cooperation with other research programs in Agriculture is enhanced by continued location in Agriculture. The importance of this aspect can, however, easily be overstated; the Forest Service research program to a large extent operates as a self-contained unit within the Forest Service and maintains its strongest ties to universities and professional societies, not to other Federal research programs.

PROGRAM COORDINATION ALTERNATIVES

Improved coordination of public land programs can be obtained, without transferring agencies, bureaus, or functions, through the establishment of new coordination institutions or channels of coordination. Depending on the problems that such alternatives are designed to solve, the changes could be made in Washington so as to affect all levels of national programs or at the field level.

Some of the approaches discussed below involve the establishment of new organizations. In addition to dealing with interdepartmental or interbureau coordination of programs, such organizations can have other functions assigned to them. For example, proposals have been made to establish independent agencies to settle matters involving the adjudication of public land appeals or to conduct hearings on proposals or programs involving public lands.

A. Establish New Coordinating Mechanisms at the Washington Level.

Organizational changes to improve coordination of programs at the Washington level can deal both with coordination problems involving two or more departments or with coordination problems that exist within a single department. The Bureau of the Budget, and indeed the office of the President itself, now can serve to coordinate interdepartmental matters. However, many of these matters that require coordination are not sufficiently important to warrant the attention of the executive offices. Others may be important but would perhaps unnecessarily dilute the "political capital" of the President, or even the Bureau of the Budget, if another means could be developed to handle coordination. (The President and Bureau of the Budget wield considerable power in terms of being able to force the Federal agencies to do something against their will, but this power is not unlimited. Both the President and the BOB choose carefully among the alternative problems on which they expend some of their power).

Within a department, the needs for interbureau coordination can also be handled by the Secretary of the department, although he, like the President, may have insufficient time to devote to coordination of the many matters that require it and may not wish to dissipate his political capital on some matters. The Secretary of the Interior, for example, has to choose very carefully among problems with which he will deal to avoid squandering his strength, which is rather limited with respect to some of the strong bureau programs in the department. These programs derive much of their strength from their strong regional ties.

Alternative No. 7 - Establish a Public Lands Council, whose major function would be the coordination of public land programs.

The concept of a Public Land Council, which would be outside of any one department and perhaps even include members from outside of the executive branch, would have interdepartmental coordination as one of its objectives. Some of the major coordination problems involving public land programs occur wholly within the Department of the Interior and are within the purview of the Secretary. However, some interdepartmental coordination needs do exist. Program relationships between Interior and Agriculture and Interior and Defense probably occur with the greatest frequency. But there are also program relationships between Interior and Transportation, the Atomic Energy Commission, the Federal Power Commission, Housing and Urban Development, General Services Administration, and Commerce. All of these could be assigned to the council for coordination.

A council could also conduct hearings as an adjunct to agency programs (instead of having the agencies conduct hearings) and to aid in the surveillance of agency programs, in which case the council could report to the Secretary of the involved department or to the Bureau of the Budget as the coordinating agency for the President. That is, conducting hearings could aid the council in its coordinating work in addition to providing a source of outside information for all public land programs. Another possibility is that the council also be responsibe to Congress by providing committees having jurisdiction over public land programs with information on public land programs in much the same way that it would provide such information to the Secretaries or Bureau of the Budget.

Hearing appeals from citizens after departmental channels have been exhausted could be another task assigned to the council. This in effect would make the council a kind of administrative court of appeals, but it could be seriously compromised in this task by its responsibilities for program coordination. Furthermore, assigning this adjudicatory responsbility of an administrative court of appeals to an independent council would remove the "administrative" appeals from those who are responsible for the administrative actions.

The makeup of the council and the kind and amount of staff help assigned to it are closely related to its ability to function effectively. Whether it would be wholly or partly made up of departmental representatives, such as cabinet officers or their representatives, would involve Presidential appointees, or would involve congressional representation would have a great deal to do with its effectiveness in various assigned tasks. Having departmental representatives is important to the task of program coordination, but would conflict with the concept of an independent board of appeals.

Variation No. 7-A - Establish a council made up of the Secretaries of the concerned departments, similar to the Water Resources Council.

This council would be made up of high level representatives of Interior, Agriculture, Defense, and such other of the above named agencies as may be particularly affected by coordinating work of the council, in a manner similar to that followed by the Water Resources Council. (The Water Resources Council is made up of the Secretaries of Agriculture, Army, Health, Education and Welfare, Interior, and Transportation and the Chairman of the Federal Power Commission. It is an independent agency created by the Water Resources Planning Act to coordinate policies of Federal agencies in water resource development). The work of the council would be accomplished by the continuing review of all public land programs and the preparation of coordinated overall public land program plans from time to time. The council would also serve as a forum for resolving problems involving coordination among the involved agencies.

The operation of the council would require a relatively small permanent staff, which would be located in Washington.

Advantages: This alternative would provide a formal mechanism for resolving interdepartmental problems that is outside of the immediate Executive Offices, but would still involve the Secretaries of the involved departments. Further, it would provide an established mechanism in the form of overall coordinated program plans to resolve potential problems before they become serious. As in the case of the Water Resources Council, the Public Lands Council would also be able to conduct necessary research and collect information relevant to public land programs.

The involvement of departmental representatives in a council of this type assures that any action of the council is not taken without information being provided by the agencies that know most about the programs. In the end, the members of the council are responsible for carrying out the programs that they helped to coordinate. The tie between coordination and action is close.

Disadvantages: This approach would focus on interdepartmental problems; it does not provide an effective mechanism for dealing with the coordination problems within the Department of the Interior, which are so important to public land programs. Further, weighing votes and responsibilities is necessary. The Department of the Interior would have the most at stake in terms of the extent of its programs, but this would not be reflected in case each department is given equal weight, as in the Water Resources Council. The relationship between the functions of a council and those of the Bureau of the Budget is not clear and this could lead to continuing confusion. And, of course, this would add another Federal office to an already long list.

Variation No. 7-B - Expand the functions of the Water Resources Council to cover public land programs.

This proposal would be a simple extension of the functions of the Water Resources Council to include public land programs in its purview. The charter of the council already mentions lands, although it has been set up to deal with water development programs.

Advantages: This expansion would build on an already existing agency. Otherwise, the advantages are the same as the previous alternative.

Disadvantages: The current function of the Water Resources Council could probably result in public land programs being relegated to second place. The structure of the council may well not be appropriate to the coordination of public land programs, which involve a different set of pressures and needs and a different set of technical skills.

Variation No. 7-C - Establish a council made up of four members of Congress and the involved Secretaries, with a small permanent staff.

This alternative would establish a council that parallels the form of the National Forest Reservation Commission by including two members of both the Senate and House Interior Committees on a Public Lands Council, together with the involved departmental representatives, to deal with the same functions as the previous alternatives. Because of the extensive duties of this council, it would require a small permanent staff, which is not the case with the National Forest Reservation Commission. The National Forest Reservation Commission was established by the 1911 Weeks Act to consider and approve lands recommended for purchase to add to the national forests. It is made up of the Secretaries of the Army, Agriculture and Interior, two members of the Senate, and two members of the House of Representatives. Staff functions, which consist primarily of organizing materials for Commission meetings, are handled by the Forest Service.

Advantages: This approach would involve Congress directly in the problems of coordination of public land programs and would provide for a more meaningful flow of information about these programs to both Interior Committees. It is possible that this structure would provide a means of resolving some issues that might otherwise require legislative action or at least make dealing with the issues easier once they do reach the Congress.

Disadvantages: This proposal would confuse the lines between the executive and legislative branches. The precise role of the congressional members vis-à-vis that of executive branch members would always be unclear. Such a structure may well militate against effective operation of the council by making it a forum for posturing rather than for resolving conflicts.

Variation No. 7-D - Establish a Public Lands Council whose major functions would be the coordination of public land programs and adjudication of appeals. The council would be made up of public members with or without congressional members.

The function of serving as a court of appeals for public land decisions would be added to that of coordination of programs. To avoid the possibility of becoming nothing more than an elevated appeals division within the executive branch, the appointment by the President of public members knowledgeable in public land matters is one possibility. Congressional members could also be appointed, although the same structures concerning separation of powers as made above would apply here. Depending on the degree to which the council would involve itself in program coordination and the extent of its involvement in adjudication of appeals, the work of the council could be either full-time or part-time, in which case it would still require a considerable amount of time each year. Having public members appointed for full-time service would militate against congressional membership, although not necessarily make it impossible.

Advantages: Use of Presidential appointees as council members rather than representatives of the involved departments would perhaps limit the extent to which the council could perform effectively on day-to-day problems because of their relative lack of familiarity and involvement with agency programs. But, it would give added weight to the work and recommendations of the council on the issues on which it did work. Establishing a "court of appeals" as one function of a Public Lands Council outside of the departmental structure of the executive branch would meet one of the criticisms that have been made of the Interior and Agriculture administrative appeals system by separating the final level of appeals from the administrative organization that made the initial decision. It would accomplish this without adding to the organizational structure of the Federal Government if such a council were to be established in any case to deal with the problem of program coordination.

Having a council made up of nondepartmental members, but members who are knowledgeable about public land matters, would help to assure that the analysis of agency programs and the viewpoint of the council would be fresh and independent of the constrictions often imposed by administrators. Coordinating groups composed of members of the agencies whose programs are being coordinated too often reach conclusions that are designed not to interfere with the desires of the individual agencies. To the extent that the members of a Public Lands Council could be and remain independent of the individual agencies, this problem would be overcome.

Disadvantages: Establishment of a coordinating organization that does not directly involve representatives of the agencies that are to be coordinated tends to limit the function of the council to making studies and reports, rather than actually coordinating programs. The council could make recommendations but its members would have nothing to do with actually implementing them.

The effectiveness of the council would be limited by the amount of time that members would have and by staff capabilities. Separating the council from the administrative agencies would limit the amount of staff work that could be expected from the agencies.

Giving such a council what amount to judicial duties in the case of appeals could be a mixed blessing. To the extent that it is desired to separate final administrative appeals from the agency programs, the program coordination function of the council would conflict with this objective. Furthermore, resort to the courts may well be a more effective recourse to administrative decisions than would be the creation of a "new" level of appeals between the administrative agencies and the courts. Court review could be made more direct and effective than an additional layer of administrative review.

Alternative No. 8 - Expand the functions of the Bureau of Outdoor Recreation to include the coordination of public land programs.

The major function of the Bureau of Outdoor Recreation is concerned with the allocation of Federal funds to the states to support outdoor recreation acquisition and development programs. Along with this, it is assigned the job of coordinating Federal outdoor recreation programs, including those involving public lands. This alternative, thus, would build on an existing agency with an assigned coordinating function by adding responsibility for coordination of public land programs of the major land administering agencies, including those of the Forest Service. Coordination would be accomplished through the preparation of overall land use and program plans, the review of agency programs, the study of special problems, and day-to-day consultation with administrative agencies. It is intended to deal with the same complex of problems as the immediately preceding alternatives.

Advantages: This alternative would not require the establishment of a new agency and would build on the experience of one that has already been working on coordination of outdoor recreation programs, many of which involve the public land agencies. Having a coordinating agency within the department that has responsibility for most public land programs (particularly if the Forest Service were transferred to the Department of the Interior) provides an opportunity for day-to-day contact with the public land agencies and for developing a thorough understanding of their problems. It would facilitate coordination of day-to-day problems to a greater extent than the alternatives that would separate this function from the activities of the department.

Disadvantages: The location of the Bureau of Outdoor Recreation as one of the bureaus in the Department of the Interior has limited the effectiveness of its Federal coordinating function for recreation programs, particularly when it involves agencies outside of the department. To place the responsibility for coordination of all public land programs, which often involve problems that are more intractable than those of the outdoor recreation programs, in an agency in the Department of the Interior would limit its effectiveness. Much of the BOR program effort, in fact, is directed at review of statewide recreation plans and at the allocation of Land and Water Conservation Fund appropriations. Having this Federal coordination function placed at the bureau level would also tend to get it bogged down in day-to-day problems and limit the attention that should be devoted to major problems.

The Bureau of Outdoor Recreation was established to give outdoor recreation programs a nationwide organizational focus in the Federal Government at a time when it was desired to push ahead rapidly with these programs. Congress carefully avoided giving BOR lands to administer or an operating program to advocate. Adding responsibility for all public land programs would shift attention away from outdoor recreation, which perhaps still requires a major focus, although it would perhaps shift attention to public lands in a meaningful way.

Alternative No. 9 - Transfer the Federal coordinative functions of the Bureau of Outdoor Recreation to the Council on Environmental Quality.

This approach would separate the Federal coordinating functions of BOR from the programs involving technical assistance and grants of Land and Water Conservation Fund appropriations to the states and assign the coordinating, including coordination of public land programs, to the Council on Environmental Quality, which has just been established by law in the Executive Offices of the President. The functions of the newly established council are directed in part at reviewing Federal programs that affect or could affect the environment and reporting on deficiencies in these programs. Its coverage ranges from industrial pollution affecting health to the purely aesthetic effects of scenic degradation. The council is also to consult with the Citizens' Advisory Committee on Environmental Quality, a successor to the Citizens' Committee on Outdoor Recreation and Natural Beauty; thus, the council is in a sense an outgrowth of the interest in outdoor recreation programs. Transfer of the outdoor recreation program coordinating functions of BOR would involve the council in problems that are more narrow than those with which it is generally to deal, and would add to the overall scope of problems facing the council.

The intent of this proposal is to increase the effectiveness of coordination of Federal outdoor recreation policies and programs for public lands, a function now assigned to BOR.

Advantages: This move would place the coordination of outdoor recreation programs, including those on the public lands, at a more authoritative organizational level where interdepartmental, and even intradepartmental, coordination can more realistically be expected to occur. It would raise the level of concern of BOR's coordinating function to primarily policy or broad program matters and would separate the viewpoint of those reviewing agency programs from that of a single department. It would strengthen the overall ability of the Federal Government to coordinate outdoor recreation programs. Making this task a specific function of the Environmental Quality Council would strengthen its position in dealing with policies and problems involving outdoor recreation and would give it a base of specific responsibilities on which to build a parallel responsibility in the field of environmental quality generally.

Disadvantages: Coordination of Federal policy and programs in the Executive Offices is already an assigned function of the Bureau of the Budget. Establishment of a coordinating function for one set of problems at the same level would perhaps lead to confusion and duplication of effort. The transfer of a portion of the BOR program would split the existing agency down the middle and would possibly weaken the overall Federal focus on outdoor recreation. It would shift the focus of concern for outdoor recreation away from day-to-day problems and limit the effectiveness of direct work with the administrative agencies.

Placing recreation coordinating authority in the Environmental Quality Council may result in outdoor recreation being completely lost in the greater concern for the environment, or in shifting the concerns of the council away from important environmental matters. The environmental and outdoor recreation concerns of the Federal Government are by no means synonymous, although there has been a close organizational relationship. The ultimate effectiveness of the council on environmental matters will depend in part on its ability to be independent of any particular viewpoint. Giving it major responsibilities in the outdoor recreation field at the beginning of its existence may sharply limit its outlook.

B. Establish New Field Level Coordinating Mechanisms

Problems of program coordination exist at the field level as well as at the national level. The establishment of new coordinating mechanisms or the modification of existing ones could be done in a manner so as to relate them to organizational changes made at the national level or reorganization of field level coordination could be accomplished without major changes at the Washington level. In this section, coordination is viewed as involving primarily programs of the Bureau of Land Management, Park Service, Bureau of Sport Fisheries and Wildlife, and Forest Service, as at the national level. However, coordination of programs of other agencies administering public lands, such as the Department of Defense and the Atomic Energy Commission, is probably more important at the regional level than at the national level; this point should be given due consideration with respect to these alternatives.

Alternative No. 10 - Establish regional coordination boards that would report to the major coordinative unit established at the Washington level.

This alternative would involve the establishment of a formal regional coordinating board for each of some 8 to 10 regions in the country. Each board would be made up of representatives of the four major public land administering agencies and such other agencies having public land responsibilities in the region. An independent chairman and small staff would be required for each board.

It would be the functions of each board to prepare long range public land program plans for the region, to review and coordinate programs on an annual, biannual, or 5-year basis, and to prepare such programs for submission to Washington, and to prepare coordinated public land budgets for submission to Washington. If a coordinating office for public land functions, such as a Public Lands Council, is established at the national level, the regional coordinating boards would submit their reports to it. Otherwise, they would submit programs and budgets to the head of the agencies that are involved and to the Bureau of the Budget.

This proposal is intended to deal at the regional level with problems of program coordination that occur at that level, and to establish an organization whose primary function is to deal with these regional problems.

Advantages: Regional coordinating boards would provide for integrated regional planning of agency programs for all Federal lands. Submission to Washington of programs and budgets coordinated at the regional level would require that decisions on program emphasis and priorities be made at the regional level, where information can be related to operating units of land and where impacts of programs are most readily apparent.

The makeup of the regional boards would affect their operational effectiveness. Having the coordinating activities assigned to a unit that is independent of the individual agencies would make it possible to have programs viewed at the regional level from a point of view other than that of a particular agency. To some extent this would be accomplished by requiring the representatives of each agency to convene as members of the regional board and agree upon a coordinated program. Perhaps more important would be the effect of having an independent chairman, who would represent the broader interests of the Secretary or perhaps of the President. Particularly in the latter case, the boards could have significant effects on program formulation. The board would also serve as the single point of contact for coordinating Federal public land programs with state and local governments.

Disadvantages: The regional coordinating board would be in a somewhat anomalous position between the agency field units and their Washington offices unless it were directly responsible to a national organization with overall responsibility for coordinating public land programs. It would be quite possible for one or two strong agencies to dominate the decisions of a regional coordinating board to the detriment of other weaker agencies unless the regional board had a national counterpart to review programs and bring problems to the attention of appropriate officials.

Regional programs and budgets would still have to be weighed and coordinated at the Washington level before they became effective. If the review at the Washington level were ineffective, the effort that would go into developing regional programs could be largely wasted. In other words, coordination at the regional level must be authoritative, and it requires sympathetic and responsive review and equally authoritative coordination at the Washington level if it is to be fully effective.

Alternative No. 11 - Require the submission to the Congress and to the Bureau of the Budget of 5 or 10-year coordinated regional programs for the public land agencies.

This alternative would require that coordinated regional land use plans and operating programs be developed, without specifying the manner in which the agencies organize to develop them, and that they be submitted to the Congress and to the Bureau of the Budget. The manner in which Congress is to use these programs is not specified although, as discussed under a later alternative, Congress could use them as the basis for program authorizations, which could serve as a guide for subsequent annual budget evaluations and appropriations actions.

A statutory requirement of this sort is intended to cope with the problem of a lack of or inadequate coordination of public land programs on a regional basis and lack of regionally oriented programming and budgeting within individual agencies.

Advantages: This would be a simple and direct approach to getting regional program coordination. The fact that land use plans and supporting programs and budgets would be submitted not only through the normal agency channels, but to the Congress and the Bureau of the Budget, would help to assure that the planning effort is real rather than illusory. Leaving the methods of effecting regional coordination to the agencies would avoid the problem of trying to select an appropriate organizational form and giving it statutory blessing only to find that it is not as effective as some other form.

Requiring that both land use and supporting program plans and budgets be coordinated on a regional basis and submitted to the Congress and Bureau of the Budget would help to assure that both institutions are provided a more meaningful basis for making their decisions. This kind of information on a regional basis is not readily available now for public land programs.

Disadvantages: The lack of a specified organizational form responsible for coordinating programs and budgets could result in conflicts among the agencies in establishing a means of effecting coordination. Also, a coordinating mechanism that goes only to general programs and budgets would still leave the agencies without a specified formal device for coordination of special problems that arise from time to time. Much of the necessary coordination also involves day-to-day problems that would not appear in the broad terms of a program plan.

Programs and budgets prepared on a regional basis and submitted to the Congress at the same time that they are submitted to the executive branch hierarchy could lead to serious problems of political "footballing" by establishing a direct line of communication between agency field offices and Congress. Efforts of the executive branch to coordinate programs among regions could be hampered by the ability of the field offices to use regional plans as a way of going around their Washington offices.

ADMINISTRATIVE CHANGE ALTERNATIVES

Study reports prepared for the Public Land Law Review Commission have dealt with numerous possible changes in the administration of the public lands. The range of the possible changes that were considered is so great as to defy characterization in a few sentences. The existing system for administering public land programs is characterized by great diversity of policies and programs. The alternatives discussed below generally deal with the more significant of these changes designed primarily to effect possible improvements in the efficiency of public land administration and to reduce many of the differences among similar and closely related public land programs.

Alternative No. 12 - Eliminate distinctions between categories of public lands.

There are distinctions in the administration of some categories of public lands that are based largely on historical factors. The more important distinctions have statutory roots and, thus, are not subject to administrative solution. Generally these distinctions require separate rules and regulations be applied to lands that are very similar in character. The variations below treat with the two major distinctions.

Variation No. 12-A - Eliminate the distinction between section 3 and section 15 lands under the Taylor Grazing Act.

Section 3 of the Taylor Grazing Act sanctioned the establishment of grazing districts and made a number of provisions for the administration of grazing on lands in these districts, which included those public domain lands in fairly consolidated holdings. Section 15 of the act covers the administration of lands not in the grazing districts; most of these lands were more scattered than those in the districts, they were considered more difficult to administer, and were thought to be of less importance than the consolidated holdings.

The differing provisions of the Taylor Grazing Act for section 3 and section 15 lands involve the level of grazing fees, the appropriation of the lands under various land laws, the use of advisory boards, and others. This alternative would eliminate all distinctions and, in effect, have the provisions applicable to section 3 lands also apply to lands now covered by section 15.

This alternative is intended to simplify the existing policy structure.

Advantages: Confusion that exists because of the differences in treatment of section 3 and section 15 lands would be eliminated and all lands would be brought under a unified policy structure. The body of public land policy would be simplified without loss of substance.

Disadvantages: There are no readily apparent disadvantages to this alternative.

Variation No. 12-B - Eliminate all distinctions in administration between public domain and acquired lands.

The administration of public domain and acquired lands differs in a number of ways. For example, policies for the use of metalliferous minerals on public domain lands administered by the Forest Service are locatable and on acquired lands they are leasable. The justifications for maintaining such distinctions are largely transitional; that is, the expected impacts during the changeover are generally greater than the eventual impacts of the change itself. In addition to changes affecting minerals, adoption of this alternative would involve changes in disposal and exchanges of land, revenue-sharing, and, in some cases, fee structures.

This alternative is intended to simplify the structural basis of public land laws and policies.

Advantages: Both administrators and the using public would benefit from changes that simplify procedures and reduce confusion. Elimination of differences should result in the adoption of the best policies for both classes of land.

Disadvantages: There are no apparent long run disadvantages to this alternative. In the short run, there may be some confusion resulting from the shift in policies for one class of land.

Alternative No. 13 - Make responsibility for allocation of public lands among Federal agencies independent of the land management agencies.

One of the major uses of withdrawal authority is the assignment of public lands to the administration of various Federal agencies. The conflicting views of the agencies involved in such transfers often lead to delays and other problems in effectuating transfers. For example, withdrawal authority is often used to assign lands to the Defense Department for military uses; differences in viewpoint as to the appropriate lands and areas between the Department of Defense and the Bureau of Land Management can delay such proceedings and require that the two Secretaries resolve the differences.

This alternative would place the authority for making decisions for allocating lands among agencies in an agency that has no responsibility for public land administration. It would also involve reviewing previous withdrawals that had been made to transfer administration of lands. Such responsibility could be assigned to the General Services Administration or could be assigned to an independent agency. Several possible independent organizations for program coordination are discussed elsewhere in this report; this responsibility could be assigned to one of them or it could be assigned to an existing organization such as a realigned National Forest Reservation Commission.

Advantages: Removing from land administering agencies the authority for approving withdrawals that transfer lands from the administration of one agency to another would eliminate the possibility of an agency allowing its desire to control lands to stand in the way of appropriate shifts in land use and organizational responsibility. It would also help to assure that lands would be reallocated when they are no longer required for the use for which they were transferred. Adoption of this alternative should lead to better overall use of public lands.

Disadvantages: Removing responsibility for deciding on land uses, including those decisions involving a transfer in administrative jurisdiction, would place the decision further away from the sources of specialized information concerning land uses and from the skilled judgment concerning specific uses needed for good decisions. For example, the General Services Administration does not have the depth in special skills related to grazing domestic livestock, wildlife management, or timber management that may be necessary for making the best possible decision in reallocating land from one group of uses to another.

Alternative No. 14 - Transfer the Oregon and California, Coos Bay Wagon Road, and public domain lands in western Oregon to the Forest Service for administration and inclusion in the National Forest System.

The Forest Service in the 1950's assumed administration of some of the O&C lands, which are known in the Forest Service as the "controverted lands." This proposal would result in the shift of all remaining O&C and CBWR lands and the remaining public domain lands in western Oregon, all of which are generally close or adjacent to national forest lands, to the Forest Service for administration and inclusion in the National Forest System. This could be done without changing the existing revenue-sharing policies followed on the O&C lands. Transfer of funds derived from revenue-sharing from the counties to the Federal Government for use in management programs on the O&C lands could also be continued. This alternative would result in a shift of close to 3 million acres of forest land to the Forest Service.

This alternative is intended to simplify administration of forest lands and reduce confusion that arises from different policy systems applying to similar lands.

Advantages: The Forest Service would be given administration of lands that are very similar to national forest lands in an area that is now divided between the Forest Service and BLM. Some reduction in administrative overhead is a likely result of the shift, although a substantial reduction in the number of offices at the field level is not likely. Differences in policies between the Forest Service and the existing O&C lands would be reduced and the overall administration of public forest lands in western Oregon simplified. It would put the bulk of the highly productive Federal forest lands under a single agency.

Within BLM, the organizational distinction between forestry and grazing programs has been at the root of administrative problems in past years and this has been partly due to the fact that the bulk of the BLM forestry program is concentrated in western Oregon. Adoption of this alternative could reduce the administrative problems in BLM that rise out of this distinction.

Disadvantages: The major problem associated with any transfer of responsibility for administration of the O&C lands is the effect that it might have on the current revenue-sharing policies for these lands. In the case of "controverted" lands now administered by the Forest Service, the revenue-sharing policies applicable to the O&C lands have been retained. The O&C policies are considerably more advantageous to local governments than are the comparable policies for national forest lands.

The management and administrative policies now applicable to the O&C lands and the law providing for their administration have found favor to some extent with the timber industry in the area. Transfer to the Forest Service would probably result in the adoption of Forest Service practices for these lands.

Alternative No. 15 - Transfer Forest Service grazing lands, including the National Grasslands, to the Bureau of Land Management.

The National Grasslands, now administered by the Forest Service, are located largely in the Great Plains region where, to some extent, they are intermixed with BLM grazing lands. Grazing domestic livestock is the major use of the National Grasslands. The National Grasslands were administered by the Soil Conservation Service until 1953 when they were transferred to the Forest Service. Other Forest Service grazing lands are scattered throughout the national forests, although the Rocky Mountain and intermountain areas contain perhaps the most heavily grazed national forest lands.

This alternative would simply involve transfer of national forest lands devoted primarily to grazing domestic livestock to BLM for administration. Much of the grazing on national forests takes place on forested lands and this alternative would not involve transfer of these lands to BLM. Most of the lands to be transferred, in addition to the National Grasslands, would be lands along the boundaries of national forests.

The chief problem to be solved by this alternative is the inefficiency in programs that arises out of having two agencies administer similar lands in the same regions for the same purpose.

Advantages: This alternative would result in major, but not complete, consolidation in BLM of Federal grazing programs throughout the West. This should lead to savings in overhead expenses and also in a merging of policies and programs and an associated reduction in conflicting and confusing program variations.

Many land management functions, such as range or timber management, involve special skills and training, although the overall job of land management is increasingly requiring a body of skills that can be supplied only through what amounts to a team approach. Focusing an agency's programs on a relatively narrow function, such as administration of grazing programs, permits development of skills through concentration on a few problems. Further, a particular kind of skills in a single agency improves possibilities for personnel development in a narrow area by increasing the available options for transfer and advancement as specialists tend to stay within their specialties.

Disadvantages: Transfer of the National Grasslands and other Forest Service grazing lands to BLM for administration would imply a change in policies applicable to these lands and presumably the change would be to adopt a policy structure for these lands somewhat like that which applies to BLM lands now.

A transfer of national forest grazing lands, other than the National Grasslands, to BLM administration could unduly complicate administration because these lands are scattered along the edges of national forests or may be isolated within a national forest. The national forest boundaries generally follow cadastral survey lines, rather than natural resource boundaries, and this accounts in part for the fact that the national forests contain nonforested areas along their boundaries in many cases. On the other hand, there are a few instances of rather extensive nonforest lands, used primarily for grazing, within national forests.

Alternative No. 16 - Place responsibility for each major commodity program on all public lands in a single bureau.

Because the skills in the administration of policies and programs relating to individual commodities already tend to some extent to be concentrated in certain bureaus, this alternative suggests that programs on all Federal public lands dealing with each major commodity, such as grazing, timber, and outdoor recreation, be made the responsibility of a single bureau. This would involve the assignment of responsibility for all timber programs on the public lands to the Forest Service, responsibility for all grazing programs to the Bureau of Land Management, responsibility for all wildlife programs to the Bureau of Sport Fisheries and Wildlife, responsibility for all recreation programs to the Park Service or to the Bureau of Outdoor Recreation, and responsibility for all mineral programs to the Geological Survey or to the Bureau of Land Management.

The intent of this alternative is to maximize the level of skills with which a commodity is administered and to get uniform treatment of each commodity.

Advantages: Consolidating commodity programs in this fashion would make it possible to develop consistent practices that reflect the best talent the Federal Government has for each commodity. It would give users of the commodity a single "place to go" in the Federal Government for administration of their use of the commodity. Within the Federal Government, it would bring budgets and program planning for each commodity together and thus obtain the benefits of comparing commodity oriented programs on all lands at the same time.

Disadvantages: The use of public lands is becoming increasingly complex. This alternative ignores the fact that a unit of land is usually capable of producing several commodities. The balancing of the various commodity programs on the public lands and the resolution of conflicts among them would require a great deal of coordination.

Variation No. 16-A - Place administration of all public lands grazing programs in the Bureau of Land Management.

This alternative would not result in the shift of any land from one agency to another but would make the Bureau of Land Management responsible for the administration of grazing programs on national forests, parks, wildlife refuges, and lands withdrawn from the public domain for Department of Defense or other purposes.

The intent of this alternative is to centralize and simplify the administration of grazing on public lands.

Advantages: Centralized administration of grazing programs would reduce the differences in regulations that now occur simply because lands are administered by different agencies. In those cases where an individual rancher has grazing permits on BLM, national forests,and perhaps other lands, administration by a single agency would provide for better overall management of lands and grazing permits and would eliminate the need for trying to coordinate grazing seasons and locations among several agencies. A centralized grazing program would also permit the most advantageous use of the skills and talents of range management personnel.

Disadvantages: The separation of one aspect of land management, that dealing with grazing, from the others on non-BLM lands would limit the abilities of land managers to balance properly the various uses of the land. While the administration of grazing would be simplified, the management of the land for all other uses would be complicated by the need to correlate programs that deal with timber, for example, with the grazing programs that would be administered by a different bureau. The increasing pressure on public lands for a variety of uses suggests that the manager of a tract of land has to have control over as many uses as possible in order to balance them properly.

Variation No. 16-B - Place administration of all public land timber management and harvesting in the Forest Service.

The national forests, which are administered by the Forest Service, account for the bulk of the timber programs of the Federal Government. Other significant Federal timber programs often occur on lands close to national forests. This alternative would turn over administration of all Federal timber programs to the Forest Service, which already handles timber programs under cooperative agreement on some Federal forest lands not in the national forests.

Advantages: This alternative would reduce differences in timber programs on land administered generally by different agencies. It would also permit the most advantageous use of the skills and talents of Federal timber management personnel.

Disadvantages: This alternative would again separate one aspect of land management from the others and thereby limit the ability of the land manager to balance properly the various uses of the public lands.

Alternative No. 17 - Place service functions, such as surveying and mineral development supervision, under each agency with responsibility for land management.

This alternative would require that the BLM cadastral surveying program be separated into parts which would be assigned to the other agencies having administrative responsibilities for public lands. Further, it would require the division of existing supervision of mineral leasing and location by BLM and the conservation and production supervision program of the Geological Survey into parts and assignment of these parts to the land administering agencies. The Forest Service, Park Service, and Bureau of Sport Fisheries and Wildlife, in addition to BLM, would each have its own program of cadastral surveying and supervision of mineral programs.

This proposal is intended to reduce administrative problems that arise when more than one agency has responsibility for programs on a single unit of land.

Advantages: The agency administering the land is in the best position to allocate service functions among its lands and programs and to balance properly the various programs on its lands. Interagency coordination would not be required to decide on something as simple as deciding where the effort of a surveying program, for example, should be placed. Association of service functions with the other aspects of managing a class of lands would provide an added incentive for doing the best possible job.

Disadvantages: The service functions generally involve a high degree of technical expertise and have within an agency their own career development ladders. Dividing the existing functions among several agencies would result in smaller units with less potential for encouraging the best performance by individuals. Service functions would tend to be isolated within an agency and development and use of the best techniques would be hindered by lack of direct contact with similar units in other agencies. To some extent, flexibility in assigning available talent to the most important jobs regardless of the agency administering the lands would be lost.

Alternative No. 18 - Centralize all service functions such as surveying and engineering, in the General Services Administration.

This alternative would take the major service functions out of existing agencies and transfer them to the General Services Administration where they could be located together in a unit that would specifically service the public land agencies or they could be scattered in existing units in GSA. Functions to be transferred would be those generally involving administrative or technical expertise such as that involved in the Geological Survey mineral programs.

This alternative is intended to minimize the duplication of programs involving the public lands.

Advantages: This move would consolidate the various service functions and result in some improvements in efficiency. GSA now handles some broadly similar functions for the various Federal agencies and reportedly does a satisfactory job. Consolidating functions would probably make possible the provisions of better quality services and would provide the flexibility inherent in larger organizations.

Disadvantages: Removal of service functions from the land management functions of the agencies could lead to difficulties in obtaining services when needed and in assuring that the particular requirements of land management are met when services are provided.

Alternative No. 19 - Transfer public land and OCS mineral development and production supervision functions of the Geological Survey to Bureau of Land Management.

The Bureau of Land Management lets sales, issues leases, evaluates bids, administers the land for other purposes, and collects rentals on nonproducing leases. The Geological Survey determines mineralization, does geology work, sets royalties (in the case of coal), unitizes multiple ownership leaseholds, supervises production, collects royalties on producing leases, renegotiates terminated permits and leases. This alternative would transfer these functions of the Geological Survey to BLM to centralize control over use of the public lands.

Advantages: Administration of mineral programs would be centralized in one agency and would thereby provide for better coordination among aspects of mineral development programs. The major functions of the Geological Survey relating to the development of basic information (earth-form and hydrology) would not be burdened with the responsibility for operating programs on the public lands. Mineral development and supervision on public lands would get more "visibility" for policy making if removed from the Geological Survey.

Disadvantages: Specialized advocacy of mining and mineral development in public lands which now exists by organizational separatism in a highly mineral oriented bureau (the Geological Survey) would probably be weakened somewhat. Although it has been alleged that removal of the Conservation Division functions from the Geological Survey would lower the level of geological professionalism now applied to the program, there is no evidence to support this allegation. However, there would be a separation of Federal programs now staffed primarily by geologists.

ADVISORY SYSTEM ALTERNATIVES

There are a number of weaknesses in provisions for the use and composition of citizen advisory bodies in public land matters. The alternatives discussed below are in three categories. The first deals with statutory authorization for the use of advisory groups and, in particular, involves the use of advisory boards at various levels of government. The second deals with the composition or membership of advisory boards. The third deals with guidelines for the operation of advisory bodies. Some and perhaps all of the guidelines discussed in this section could be made statutory. It would be possible either to place such guidelines in a general statute that provides for the use of citizen advisory bodies, or to place the guidelines in various laws authorizing the use of advisory bodies under particular circumstances.

The use of citizen advisory bodies generally is intended to provide a means for the Federal agencies to obtain views of interested persons regarding policies and programs. The alternatives are discussed in terms of how best to accomplish this aim and whether or not the method used should generally be consistent among the various agencies.

A. Statutory Authorization

At present, the advisory bodies expressly authorized by statute are limited in number. The advisory boards authorized under the Taylor Grazing Act and under the Granger-Thye Act are the major classes authorized by statute and they make up only a part of the various kinds and classes of boards used to advise the different land management agencies. The alternatives discussed below are generally directed at obtaining uniformity among the public land agencies in the use of advisory bodies.

Alternative No. 20 - Eliminate existing statutory requirements for the use of advisory boards.

The chief effect of this alternative would be to eliminate the requirements for use of advisory boards for the Taylor Grazing Act districts and for grazing on the national forests. Advisory boards could still be used by public land agencies, but their use would be permissive rather than mandatory. The Forest Service, for example, has numerous advisory bodies now for national forests, regions, and experiment stations and the use of these boards is not required by statute. Whether the number of advisory bodies in use would increase or decrease if this alternative were adopted is a matter for conjecture. The decision as to whether or not they would be used would be left up to the administrative agencies. Adopting the alternative would not preclude adopting other alternatives that would provide statutory guidelines for the operation of advisory bodies where they are used.

This alternative is intended to weaken the influence of advisory bodies in those instances where they are now authorized by statute and, as a result, are relatively strong in terms of being able to influence Federal policies and programs.

Advantages: This alternative would put all advisory bodies for public land matters on the same basis with respect to statutory authority. In a negative sense, it would emphasize the advisory character of the bodies that are used. It would provide administrators of the public lands with considerable flexibility so that such bodies could be used where they are deemed by the administrator to be useful and not used where it is deemed that they would serve little purpose.

Disadvantages: Congress has made known its intentions with respect to advisory bodies only in a few instances. To eliminate all statutory requirements would leave a complete vacuum unless further legislation were passed with regard to the operation of advisory bodies that would be permitted to exist. Advisory boards have made important contributions to public land administration in the past; this alternative would weaken the existing statutory boards and to some extent would also weaken other existing or potential boards.

Alternative No. 21 - Make advisory boards mandatory at the national and regional levels for all public land agencies.

This alternative would extend the concept of mandatory advisory boards, now usually applicable only to public land grazing programs, to all public land programs of the Forest Service, Park Service, Bureau of Sport Fisheries and Wildlife, and Bureau of Land Management. The national advisory boards that now exist for each bureau would be continued with statutory authority. Such regional boards as now exist would also generally be continued and regional boards would be established in those instances where they do not now exist. Adoption of the alternative would result in only a small increase in the number of existing advisory boards for public land matters.

The alternative is intended to establish a consistent system of advisory boards for the public land agencies and to assure that these agencies make use of citizen participation in developing their policies and programs.

Advantages: This alternative would provide for some consistency among agencies in the use of advisory boards and would require that advisory bodies be established for some regions where, for one reason or another, they do not now exist. It would also provide the basis for the development of guidelines clarifying the manner in which advisory bodies are to function.

Problems now arise from the lack of a clear statement of the role of some advisory boards. The position of the national grazing advisory board for BLM, for example, has not been clear with respect to its relationship to policy making in BLM. A statute requiring that such a board be established would also clarify its role in the development of BLM policy and would establish the limits within which advisory groups would operate. In effect, statutory authority for the establishment of advisory boards specifying clearly their functions could protect public land administrators from the efforts of advisory bodies to act as though their function is something other than advisory.

Disadvantages: Conditions in some regions or at some times may not warrant the use of advisory bodies. Requiring that they be established primarily for the sake of consistency could lead the agencies to incur expenses that are not justified by the results, making advisory boards mandatory may result in an undesirable degree of inflexibility and, without carefully specifying their responsibilities and powers, could allow them to have an unwarranted degree of influence over actual decisions.

Alternative No. 22 - Make advisory boards mandatory at the local levels for all public land agencies and for all programs.

This alternative could be adopted in conjunction with or separately from the previous alternative. It would require in either case that the Forest Service, Park Service, Bureau of Sport Fisheries and Wildlife, and Bureau of Land Management have advisory bodies at the local level (districts, national forests, parks, and refuges) much like the existing district advisory boards for BLM. Inasmuch as the Forest Service already has advisory boards for many national forests in addition to the G-7 and G-10 grazing boards, the actual increase in the number of boards would not be great.

The intent of this proposal is to provide for a consistent policy with regard to the establishment of local advisory boards for all of the Federal agencies.

Advantages: There is confusion over the roles of existing local advisory boards relative to the role of national and regional boards. One element of a statute authorizing local boards would be the definition of an appropriate role. National and regional boards are in a position to advise agencies on broad policy, which still leaves an opportunity to local boards to provide advice on matters of local importance and on some of the aspects of operational programs. It has been suggested that such boards be given a clearly defined role in decision-making by the Federal public land agencies; legislation requiring such boards could define this role, whatever it may be. Local boards can also provide a useful forum for discussions between users of public lands and other concerned persons.

Making local boards mandatory would assure that local administrators do not avoid establishing boards for their own reasons. It would assure the local citizenry that a formal forum be provided for discussion of agency programs.

Disadvantages: Requiring all local levels of administration to establish advisory boards may result in the creation of unneeded boards and, in fact, may require that some of those now in existence be continued even though they may not be justifiable. Such a mandatory requirement may also result in an undesirable degree of inflexibility and in the boards having an unwarranted degree of influence over actual decisions unless the legislation clearly limits the function of the boards to providing advice.

Alternative No. 23 - Establish a single national advisory board for all public lands with a small permanent staff.

This alternative would consolidate the existing national advisory boards of the Forest Service, Park Service, Bureau of Sport Fisheries and Wildlife, and Bureau of Land Management into a single body and provide it with a small staff of perhaps three professional persons, which would be independent of the agencies that the board is to advise. The functions of the board would be to advise the agencies as to their policies and programs, report to Congress concerning agency policies and programs, advise Congress on recommended changes in public lands legislation, and to work with advisory bodies in public land matters below the national level.

This board would have a smaller number of members than the total of the four national boards that would be consolidated in it, but would probably be larger than any one of them. As long as it involved bureaus in more than one department, membership would be determined by the President on the basis of recommendations from those Cabinet officers that would be involved.

In order to cover the range of topics now covered by the four national boards, more time would have to be allotted to meetings than is now the case for any one of the boards. To some extent, the added time required would be offset by the presence of a permanent staff which would make it possible to conduct the business of the advisory board throughout the year rather than only in conjunction with meetings.

This alternative is intended to broaden the outlook of the national boards to encompass a broader range of problems and to encourage workmanlike operation of the board through providing legislative authority and clearly defined tasks.

Advantages: Requiring the board to advise on the policies and programs of the several land managing bureaus would, in fact, broaden the viewpoints and advice of the members. It would also make the individual bureaus who listen to the advice of the board more aware of the programs of other bureaus and of the relationship of their programs to other public land programs.

Requiring the national advisory board to report to Congress as well as to the agencies it is to advise would give added weight to the advice, and assure that the agencies view the advisory board as an important tool. It would also provide Congress with a formal source of information concerning agency programs that it does not now have. Providing the board with a small staff and budget would give it the ability to investigate in some depth problems that now may appear to be important to the national advisory boards, but are never really examined in depth because of a lack of time and staff capability. This would also enable the national board to be somewhat independent of the agencies it is to advise.

Making the national board responsible for working with regional and local advisory boards would help to make the work of these boards meaningful and would provide for a connection between the work of boards at the various levels. As it is now, boards at the different levels operate as though the others do not exist.

Disadvantages: The existing structure of separate national boards for each bureau provides for the development of a rapport between the boards and the agencies they advise. Concentration on the range of programs of a single agency enables a board to review the agency programs in depth and this aspect would be limited by a board dealing with four bureaus.

Under the existing system, an advisory board for a single bureau can be chosen from people who have specific knowledge concerning the bureau and its programs. Spreading the advisory board over four bureaus whose programs differ in many aspects could result in a board with less specific expertise or result in the use of what amounts to a subcommittee system of operation, thus defeating one of the purposes of a joint board.

Having a national advisory board report to Congress as well as to the agencies could result in the agencies being less than candid in their dealings with the board and thus limiting the board in providing really useful advice. The board could in the end become a very political sort of institution in its own right instead of a basically noninvolved and unbiased institution.

Alternative No. 24 - Establish a system of regional advisory boards, each to advise on all public land matters in the region.

This alternative would do on a regional basis what the previous one does on a national basis. That is, it would consolidate the regional advisory boards for the Forest Service, Park Service, Bureau of Sport Fisheries and Wildlife, and Bureau of Land Management to the extent that they now exist and would require the establishment of overall regional boards, whether or not the individual bureaus now have them. The geographical lines along which they would be consolidated are unclear inasmuch as the Forest Service, Park Service, and BSF&W, for example, have multistate regions (all different), while BLM uses states as its major subdivisions. Geographical regions similar to those of the Forest Service or Park Service would probably be most appropriate.

The operation of the regional boards would require them to advise all bureaus in the region and to make reports to the Secretaries that are involved. Each board could have a small one or two man permanent staff or they could be staffed as required with agency personnel. One of the chief functions would be providing advice on comprehensive land use plans for all Federal lands in the region.

This alternative is intended to provide the agencies at the regional level with advice from citizens who are concerned with the problems of all public lands in the region, and viewing them all at the same time. This alternative would provide that the agencies receive advice based on a broader spectrum of experience than in the case of individual boards for each agency. Inasmuch as most public land problems are regional in character, regional boards would provide for advice at the level where problems occur.

Advantages: Many of the land management problems involve lands administered by more than one agency and the coordination of programs within a region. A single advisory board for all public land agencies would facilitate consideration of such problems and programs.

Consolidated regional boards would also justify having a small permanent staff or one or two agency employees assigned to it on a full-time basis. This would enable the advisory board to remain independent of the agencies and to do some of its own in-depth investigations in order to provide substantive advice.

Disadvantages: Spreading the time of the advisory board over the policies and programs of four bureaus is likely to result in more superficial advice than would be the case with individual boards for each bureau. The level of time and effort required to cover four bureaus may militate against membership by some persons whose participation would be important. For example, persons not occupationally tied to public land user groups or similar organizations may find it difficult to meet the cost of being an advisory board member on a board that is large, formal, and meets frequently. Formalizing the regional boards by requiring them by statute may limit the flexibility of the boards to meet varying regional conditions.

B. Composition and Membership

The skills, viewpoints, organizational affiliations, and residence of members of advisory boards and, to some extent, the size of the boards are important factors in determining the kind of influence the boards will have on public land policies and programs. The Taylor Grazing Act district grazing boards were required by statute to have representatives of both the cattle and sheep interests using the public lands and were, in addition, required to have at least one person representing wildlife interests. The Granger-Thye Act has similar provisions for national forest grazing advisory boards (G-7 and G-10 boards). These are the only specific requirements for selecting members of advisory boards in public land matters. There also are no important prohibitions on the selection of members; that is, there are no limitations on members from certain employment categories, such as state agencies, nor are there limitations on the number of members that could have similar employment.

In fact, however, other than where the agencies are limited by statute to certain classes of membership, the membership of public land advisory boards shows that effort is made to obtain fairly broad representation from user groups, other influential groups, education, and the press. In spite of this effort, it is not evident that the boards represent all important aspects of the public.

Requirements for or limitations on the membership and composition of advisory boards could be established by the statutes that require establishing of such boards, if this is the case, or by a general statute that provide guidelines for the operation of advisory boards, whether required or not.

Alternative No. 25 - Provide that members of advisory boards be residents of the general area for which the board is established.

This alternative would require that members of local and regional boards be residents of the local area or region for which the boards are established; members of national boards could and should, of course, be selected to represent all areas of the country.

The purpose of this alternative is to assure that members of the boards are familiar with the problems to be considered and that those who are affected by the local or regional agency programs are the ones to provide advice to the agencies.

Advantages: Adoption of this alternative would assure that persons from outside the area of the board could not dominate the board. It would also indicate to local and regional citizens that the public agencies are interested in their interest and viewpoints where local and regional matters are involved.

Disadvantages: Decisions on public land matters affect the interests not only of those living within the general area of the public lands, but also the interests of the national or broad regional publics. A local or regional residency requirement for advisory boards would tend to limit the expression of interests reflecting the viewpoints of the national or broader regional public. For example, people from urban areas within a broad region including public lands could be prevented from membership and yet they may make up an important user group in a local grazing district or national forest.

Alternative No. 26 - Prohibit membership of nonelected employees of state and local government.

This alternative would permit elected officials of state and local government to be members of public lands advisory boards, but would prohibit membership of full-time paid public employees who are not elected. It is intended to minimize possible domination of advisory bodies by persons whose involvement in public land programs may limit the kind of advice they could give.

Advantages: Employees of state and local government likely to be appointed to an advisory board may often be involved in cooperative programs or have other connections with the administration of the public lands. The agencies already have ready access to their viewpoints. Furthermore, their involvement in public land programs may substantially bias the kind of advice they could give or limit their ability to be candid about the matters for which advice is sought.

Disadvantages: State and local government personnel can be particularly knowledgeable as sources of information concerning public land programs. To prohibit their membership may needlessly limit the kind and quality of advice that can be provided through advisory boards.

Alternative No. 27 - Prohibit membership by paid employees of associations.

This alternative would eliminate membership by paid employees, such as those often designated as executive secretaries or executive vice-presidents, of associations of user groups or other groups having a definable interest in the public lands. The purpose of this alternative is to limit the influence on advisory boards of persons who are, in effect, paid by their employers to represent a particular viewpoint and may be able to dominate those in less favorable circumstances.

Advantages: Full-time paid employees of associations generally can devote more time and resources to their role as members of advisory boards than can other members and, thus, they are in a position where they can possibly dominate advisory boards if appointed. In addition, they are usually paid in part to make their views known to the agencies in any case. Prohibiting their membership would help to assure that all views on the board start with the same degree of involvement. Furthermore, it would establish more clearly one possible role of advisory boards as a countervailing force to that of organized associations and lobbying groups.

Disadvantages: Employees of associations are oftentimes very knowledgeable about public land matters and can give especially useful advice on technical matters that are too complicated for nonspecialist members. Their viewpoints, which are going to be made known to the agencies in any case, could perhaps be modified by their participation in advisory boards where other points of view are discussed.

Alternative No. 28 - Require balanced membership of all interests affected by the defined function of each board.

The Taylor Act district grazing boards and national forest grazing advisory boards have specified representation on each board. This alternative would specify classes of representation for the Taylor Grazing Act and Granger-Thye Act boards and for all other advisory boards, whether mandatory or permissive. The classes would be defined to cover the range of activities and interests involved with any category of public lands and would include users (including recreationists and others not involved in economic use of the public lands), state and local government, educational institutions, persons representing the regional public, and persons representing the broader national public. This would require a broadening of the Taylor Grazing Act and Granger-Thye Act requirements.

The intent of this alternative is to assure that advisory boards are not dominated by any particular viewpoint.

Advantages: This alternative would assure that specific user groups or other groups do not dominate advisory boards and the agencies that depend on them for advice. It would provide the agencies with a broad set of viewpoints and could be useful as a forum for getting persons with varied viewpoints to understand those of others.

Disadvantages: Categories of representation deemed suitable today may be unsuitable as conditions change, but statutory requirements could be rigid enough to limit change. Conditions also vary from one area to another and flexibility may be required to assure that each board is as useful as possible to the public land agencies.

Alternative No. 29 - Eliminate all membership requirements.

This alternative would remove the existing Taylor Act and Granger-Thye Act requirements for representation on district grazing boards. The purpose is to provide flexibility in appointments to advisory boards.

Advantages: This alternative would make it possible for advisory boards to be made up of persons deemed to be best suited to particular conditions. It would not prohibit any categories from representation nor would it give added strength to any categories by specifying representation. Changing the Taylor Grazing Act and Granger-Thye Act requirements would tend to weaken the position on district grazing boards of the cattle and sheep representatives and strengthen the position of other users of the lands.

Disadvantages: In cases where the actions of an advisory board are limited to certain aspects of public land administration, providing for particular representation may be appropriate. In addition, as discussed above, it may be appropriate to prohibit certain categories of representation.

C. Advisory System Guidelines

There are numerous aspects of the operation of advisory bodies that could be specified in statutory guidelines. At present, Executive Order 11007, promulgated in 1962, prescribes regulations for the formation and use of advisory committees and contains a number of guidelines. Congress could express itself by adopting the same or similar guidelines for public land advisory boards or by adopting different ones. To do so would clarify the purpose of the advisory bodies, indicate the kind of actions that they were empowered to take, and assure that their makeup and operation provides for the kind of expression of public desires that is wanted from advisory boards. Guidelines that would apply equally to the various types of public land advisory boards may have to be rather general.

Alternative No. 30 - Provide statutory guidelines for the operation of advisory boards whether authorized explicitly by statute or not.

Congress would establish a set of guidelines for the operation and use of all public land citizen advisory bodies, whether their establishment is provided for explicitly in law (such as the Taylor Grazing Act district advisory boards) or whether they have been established by the agencies where Congress has not specifically prohibited them.

The purpose of the alternative is to provide an expression of congressional intent so that both the members of advisory bodies and the agencies know what is expected of the advisory bodies and the limits of their powers.

The specific guidelines that could be established statutorily include the following:

Variation No. 30-A - Selection of chairman.

Executive Order 11007 provides that all meetings shall be chaired by a full-time salaried Federal employee. Other possibilities would be to have meetings chaired by a non-Federal member of the board or to have cochairmen, one of whom would be a Federal employee. Many of the practical aspects of running the meetings can best be handled by an employee of the agency being advised. On the other hand, citizen participation might be enhanced by having a non-Federal chairman, as long as the function of the board is clearly advisory.

Variation No. 30-B - Setting the agenda.

Executive Order 11007 provides that a Federal employee shall formulate or approve meeting agenda. This, of course, does not mean that ideas of members are disregarded, but it does mean that a Federal employee can eliminate consideration of controversial matters. Another possibility would be to permit a majority of the members of an advisory board to override a Federal employee in determining whether or not a controversial matter should be put on the agenda. One of the purposes of such a requirement, of course, is to assure that only topic matter on which the agency is seeking advice is presented. Control of agenda by board members could result in the board injecting itself into decision making on policy and program matters.

Variation No. 30-C - Recording minutes of meetings.

Executive Order 11007 provides generally that minutes shall be kept and approved by a Federal employee and that they contain at a minimum a record of those present, matters discussed and conclusions reached, and copies of reports received, issued, or approved by the board. Requiring more than this would probably result in needless paperwork, but requiring any less than this could limit the public nature of the boards.

Variation No. 30-D - Participation in meetings.

Executive Order 11007 has no provisions on whether or not meetings should be public and who should be permitted to participate in the meetings. If it is deemed desirable that meetings generally should be public and that public notice should be given, executive sessions for consideration of some matters could still be permitted. Whether nonmembers should be permitted to participate in meetings if they are public, and whether members should be permitted to designate alternates at meetings could also be specified by statute.

Variation No. 30-E - Voting.

Executive Order 11007 does not specify whether or not votes should be taken on agenda items. Voting would formalize the results of discussions and would provide a clear expression of the overall view of an advisory board. On the other hand, since the boards only give advice in any case, voting could polarize viewpoints and militate against the discussion of some controversial matters. If votes are to be taken by members, the status of alternates could also be specified.

Variation No. 30-F - Number of meetings.

Executive Order 11007 specifies that meetings are called or approved by a Federal employee, but does not specify that any particular number of meetings, say one or two a year, be held. This guideline would assure that advisory boards have a change to meet and be heard and that issues have a chance to be surfaced.

Advantages: Specifying in law these various aspects of the operation of advisory bodies would help to assure that the public interest as expressed by Congress would be carried out through the operation of the advisory boards. All persons concerned would have a reasonably clear understanding of what is expected of them with regard to the groups. Consistency in the operation of the various groups could also be expected. When administrators transfer from one locale to another, which is a frequent occurrence in the public land agencies, they would have a common basis for understanding the operation of advisory boards in the new area.

Disadvantages: Many of the possible guidelines for operation of advisory boards are so detailed in nature to make congressional consideration of them and continued oversight of the operation of the boards difficult. Establishment of such guidelines would also impart a degree of inflexibility to the operation of the boards and this may militate against their most useful operation.

Alternative No. 31 - Require that advisory boards make reports or minutes available both to supervisory levels in the agencies and to the Congress.

Executive Order 11007 requires that minutes be kept of advisory board meetings and that they be certified by a Federal employee. This alternative would require that minutes or meeting reports also be made available to the Congress (in effect, to the Interior Committees of both Houses of Congress).

The intent is to assure that the views of advisory bodies are known to all levels of administration and that Congress be given the opportunity to get the views of the advisory groups as groups.

Advantages: Submission of minutes or reports would give advisory board members an added sense of importance regarding their work, particularly if they know the reports are being forwarded to supervisory levels within the administrative agency and to the Congress. Knowing that formal reports are to be made may also encourage the members to examine the meeting agenda with more care.

The administrators working with the advisory groups would find that the knowledge that reports of the groups are to be passed up the chain of command forces them to take operation of the advisory group sericusly. It would also reduce the possibility of advisory groups being used as "window dressing".

Making the views of the advisory groups available to supervisory levels and to Congress would help to assure that real public land problems are understood by all levels of government. It would also, and perhaps most importantly, help to assure that the advisory boards constitute a force representing broad public opinion that would be countervailing to the existing forces of the organized lobbying groups. This would be true both with respect to the administrative agencies and to Congress.

Disadvantages: Formalizing the operation of advisory groups to this extent could result in a loss of rapport between them and the agencies and thus in a loss of information provided in a candid manner. Making reports to Congress could also put the advisory groups in the position of "playing to Congress" rather than providing sound advice to the agencies. In this way, the advisory groups would be subject to various political pressures that might militate against their straightforward operation.

BUDGETING ALTERNATIVES

Alternatives involving budgeting are divided into two classes. The first deals with the procedures of budgeting and its relation to and influence on public land programs. This class is traditional in the sense that it deals with the relatively well understood chain of events or steps involved in formulating a budget and appropriating and expending funds. The real effect of general policies established by Congress or by the executive branch is determined to a large extent by the process of budgeting and appropriating funds with which to carry out Federal programs. Without funds to implement programs, public land policies are largely statements of intent or desire. With appropriated funds, these policies have real effects. But budgets and appropriations for public land programs do not just happen in a vacuum unaffected by other Federal policies. The formulation of the annual budget items for public land programs and the ultimate actions on appropriations by the Congress are influenced to a substantial extent by the requirements of Federal fiscal policy to which the continuing public land programs are subservient.

The second class deals with program analysis, which has been more fully developed and formally made an integral part of the budgetary process in recent years. While not necessarily a part of budgeting as viewed traditionally, program analysis is viewed here as being related to budgeting because of the linkage between policy making and policy execution. Such program analysis is sufficiently important to warrant attention whether discussed in the context of budgeting or not.

A. Modify Budgeting Procedures

The alternatives under this section deal with budgeting procedures that are broadly applicable to all government programs and that are much the same for public land programs as for other programs. Public land programs, however, have some important characteristics that make the usual Federal budgeting procedures more important, or perhaps less suitable, for them than for many other programs. Of particular importance is the long-term nature of investments in natural resources management and in the inherent relationships between receipts and expenditures over time. Also of importance are the regionally differentiated aspects of public land management and the broad similarities among the programs of the different public land agencies.

Alternative No. 32 - Present a consolidated budget for all public land programs and agencies administering public lands.

This alternative would take public land programs for the four major bureaus (Forest Service, Park Service, Bureau of Sport Fisheries and Wildlife, and Bureau of Land Management) out of the regular departmental budgets and present them in a consolidated form as a separate section of the overall budget. Aspects of the programs of these bureaus that are not specifically related to public lands (e.g., state and private forestry in the Forest Service and research) could be left in the regular departmental budgets. This alternative would be facilitated by a reorganization of the Federal agencies that would group the public land agencies together, but reorganization is not requisite to presenting a consolidated public land budget. (Reorganization alternatives are discussed elsewhere in this report).

At present, the Forest Service is treated in the budget formulation process as a part of the Department of Agriculture while the other public land agencies are treated as parts of the Department of the Interior. Once the budget reaches Congress, the Forest Service is then considered by the same appropriations subcommittees that deal with the other public land agencies. However, all of these bureaus are treated separately in the appropriations process and at no point are the relationships between, for example, the Forest Service and BLM grazing programs treated explicitly.

Because of the important distinction in public land programs between capital and current expenditures, a public land budget should reflect this distinction. All forms of major construction, particularly access roads, and many management expenditures, such as reforestation, should be carried in the budget as capital items. Appropriation actions of the Congress could also reflect this distinction by providing for expenditure of some capital items over a period longer than a year, while current operating expenses could still be appropriated on an annual basis.

This alternative is intended to present clearly the relationships among public land budgets and appropriation of funds and to give Congress the opportunity to review public land budgets in a unified manner.

Advantages: Many public land programs are, in effect, substitutes for each other. For example, BLM and Forest Service range management programs have the same objectives and require similar kinds of expenditures. Where programs are similar, they should be considered together in the budgeting and appropriations process so that choices can be made between one agency's program and another's and so that a balance in effort can be obtained.

Budgets for public land programs tend to be "hidden" in overall departmental budgets. This is particularly true of the Forest Service budget, which is a small part of the Department of Agriculture budget and involves a set of institutional forces that are very different from those influencing the major part of the Agriculture budget. A public land budget would tend to raise public land programs out of the welter of other programs and to assure that all public land programs get about the same degree of attention by the Bureau of the Budget and by the Congress. It would also make more feasible the development of a set of standards for judging the relative merits of Federal public land programs and for comparing them by providing a uniform context for applying standards.

There may also be some administrative efficiencies involved in handling a single consolidated budget rather than handling four individual budgets. Specialization by the Bureau of the Budget or by congressional committees could well improve efficiency, but the programs of these agencies are similar enough so that specialization probably results in redundancy rather than efficiency.

Disadvantages: A consolidated public land budget within the overall Federal budget would give a unique place to public land programs relative to all other Federal programs. There is some question as to whether public land programs are sufficiently important to warrant significant changes in the structure of the Federal budget.

Alternative No. 33 - Present regional budgets for public land agencies.

This alternative could be adopted whether or not the concept of a consolidated public land budget, discussed as the previous alternative, is adopted. If a consolidated national public land budget were adopted, consolidated regional public land budgets would be an appropriate adjunct; but even if there were no consolidated budget, developing and presenting regional budgets for each of the public land agencies could be done. Geographic regions for which consolidated regional budgets would be prepared could follow the regional subdivisions used by the Forest Service, Bureau of the Census divisions, the regional breakdowns followed by HEW, HUD, and DOT, or whatever regional breakdowns are used if all public land programs were regionalized.

Regional budgets would be submitted by each regional office to the bureau for incorporation as a part of its overall budget or, if budgets are consolidated, as part of the consolidated budget. The regional budgets would then be submitted as part of the overall bureau and departmental budget to the Bureau of the Budget and by the President to the Congress. Congress may not choose to appropriate funds on a regional basis but even if this were the case, it would have regional information available to it for use in its evaluation of the President's budget.

The intent of this alternative is to assure that budget information is developed in a consistent manner at the regional level and that budget information for public lands is presented at the appropriation level in a form that lends itself to a greater degree of meaningful analysis than at present.

Advantages: Consolidated regional budgets would be a necessary step in the development of national consolidated budgets for public land programs. Regardless of their need for this purpose, regional budgets, whether consolidated or not, would require that the agencies develop and present land use, land development, and implementing program information on a regional basis. Since public land programs have important regional impacts, requiring the development of regional budgets would help to assure that these effects are taken into account in deciding on ultimate budget levels.

Regional budgets would also provide a basis for developing analyses that could lead to more efficient expenditure of government funds. The opportunities for expenditures on the public lands vary greatly from region to region in terms of their likely payoff, but these differences are commonly overlooked in the consolidation of field budget requests at the national level.

Disadvantages: Other than entailing more effort in preparation than the current national budgets, there appears to be no disadvantage to this alternative.

Alternative No. 34 - Authorize 5 and 10-year programs for public lands which would include a budgetary authorization.

This alternative would require that the public land agencies develop 5 and 10-year program plans with estimated budgetary requirements and submit them to Congress for authorization. The authorized budget levels would then be the basis for appropriation of funds. The program plans would be authorized by Congress much in the same manner as water development projects of the Corps of Engineers and Bureau of Reclamation are now authorized. Revisions in programs during the period of the plan would require congressional approval. The budget authorization would serve as a lid on appropriation levels and also serve as a guide to appropriate levels of financing. Regional land use and development plans would be the foundation for multiyear programs and budget schedules.

This alternative is intended to tie the legislative and appropriations processes of Congress more closely together with respect to public land programs and to overcome some of the deficiencies of year-to-year budgeting for public land programs.

Advantages: In an area where Congress has delegated a great deal of discretion to the administrative agencies, it would give Congress the opportunity to consider specific agency programs in detail and to make decisions on the level of agency programs on a continuing basis. It would also provide an expression of legislative intent by the legislative committees of Congress as to the appropriate level of agency programs, which could then be acted on by the appropriations committees. Under the present operation of Congress, the legislative committees, for example, the Interior and Insular

Affairs Committee, have little way of expressing their ideas as to the appropriate levels of programs to the appropriations committees. Thus, the actions of the two sets of committees are largely independent of each other.

Tying budget authorizations to program authorizations would also require that the agencies develop clear program plans and consider the budgetary implications of the plans explicitly before submitting them for authorization. This would be a step toward better planning by the land management agencies.

Disadvantages: The parallel between 5 and 10-year programs for public lands and water development projects with respect to congressional authorizations is not a strong one. Water development projects involve a large one-time capital expenditure; public land programs involve a continuing and changing expenditure of funds. To burden the legislative committees of Congress with the task of reviewing detailed programs every few years, and also in reviewing the requests for change in the authorizations that could be expected to occur frequently, may result in the committees not having time to deal with their other pressing problems.

The concept of legislative authorization providing a good guide for the appropriations process is also questionable. In the case of the Land and Water Conservation Fund, Congress has authorized expenditures but has not appropriated the full amount of the authorization. The differences between the legislative and appropriations committees of Congress are not likely to be overcome by the expediency of tying budgetary authorizations to 5 and 10-year public land programs.

Alternative No. 35 - Establish revolving fund financing for public land programs using receipts from sales of public lands and commodities as the basis for the fund.

Inasmuch as public land programs generate considerable receipts for the Federal Government, the idea of financing these programs out of receipts has been proposed frequently. This alternative would involve the establishment of a fund from which appropriations for public land programs would come. The fund would be augmented annually by the amount of receipts from public land programs. Appropriations from the fund could go to financing programs involving market type goods only (timber, forage for domestic livestock, minerals, occupancy uses, etc.), from which receipts are generally obtained, or to financing programs involving all public land programs including recreation and wildlife programs, which do not generate substantial funds and are not generally thought of as market type goods.

For the first few years, such a fund may require augmentation from the general fund if capital expenditures are to be made at an appropriate level. After this initial period, and depending on whether or not the fund is limited as a source of financing to programs involving market type goods, the fund may well produce an annual surplus. In this case unspent funds could be returned to the general fund by congressional action or there could be a provision that funds not expended within some period of time, say 2 years, automatically be returned to the general fund.

All appropriations for the designated programs would come from the fund when made by the Congress. This could be done according to statutory guidelines, such as a guideline requiring that program effort be allocated so as to maximize net returns to the Federal Government from these programs. Another appropriate guideline could be that no capital expenditures be made from the fund unless it is estimated that the returns from the expenditures will assure at least a rate of return to the Federal Government on the investment equal to the banks' prime rate of interest. These guidelines would clarify the action that is expected of the appropriations committee with respect to the appropriation of money from the fund.

The intent of this alternative is to provide assured financing for public land programs where these programs can be justified according to statutory guidelines.

Advantages: If economic guidelines are established for the expenditure of funds, a revolving fund type of financing for public land programs involving market type goods, where there are few overriding Federal purposes, would provide an appropriate level of financing almost automatically for many Federal public land programs. Problems of inadequate financing of some programs through the appropriations process and allocation of funds among programs and regions without adequate consideration of the likely results of such investments would be minimized. The public land agencies would be encouraged to plan programs carefully with proper consideration given both to program costs and returns.

Even without guidelines, the establishment of a revolving fund would give some additional assurance that funds would be made available for financing public land programs. The amount of money generated by receipts would also serve as a lid on program expenditures.

Disadvantages: In the absence of appropriate economic guidelines for use of funds, earmarking of receipts for government programs almost always results in programs either being overfinanced or underfinanced, unless Congress controls the expenditure of funds through the appropriations process. This is particularly true where there is no inherent relationship between program expenditures and receipts, which is the case for depletable resources such as minerals, and where receipts and program costs for a variety of programs are lumped together.

The use of such funds in the past has not overcome some of the problems of inadequate financing of Federal programs. For example, the Congress is not required to appropriate funds from the Land and Water Conservation Fund even though there is money in the fund. Thus, the earmarking has been relatively ineffective.

In public land matters, there is already a good deal of earmarking of revenues, including the Reclamation Fund, certain Forest Service funds, and the sharing of revenues with state and local governments. Establishment of a revolving fund for public land programs would necessarily involve changes in some or all of these other existing provisions.

Alternative No. 36 - Require by statute that funds authorized for some public land programs (e.g., the Land and Water Conservation Fund) be budgeted as authorized and expended as appropriated.

The intent of Congress with respect to the expenditure of funds from the Land and Water Conservation Fund has been frustrated by the failure of the President's budget to request that the full amount of the fund be appropriated and by the failure of Congress to appropriate the full amount authorized in the act creating the fund. This alternative would require that the full amount authorized for expenditure in the act creating the fund be included in the President's budget and that, when appropriated, funds not be held back from expenditure by the Executive.

This proposal is intended to assure that the will of Congress with respect to the Land and Water Conservation Fund be fulfilled.

Advantages: Expenditures under the Fund that are judged to be necessary by the Congress would in fact be made.

Disadvantages: Separate legislation of this type for the Land and Water Conservation Fund would be upsetting to the rather delicate balance between the legislative and executive branches. The President is required to take certain actions for what he judges to be the benefit of the country as a whole. Adoption of this alternative would limit somewhat his ability to do this with respect to one Federal program that has been limited in the past because of the needs of Federal fiscal policy.

Alternative No. 37 - Require by statute the adoption of standard cost-sharing and repayment or reimbursement policies for financing certain functions on all classes of public lands.

Cost-sharing is a well established technique for spreading the cost of projects among those who benefit from them. It is used both in matters involving private and governmental agencies and in matters involving different levels of government. Most commonly, it takes the form of matching grants whereby state or local governments must match grants from the Federal as a condition of getting the Federal grant or of each participating level of government providing a fixed proportion of project costs.

Although cost-sharing is widely used in many Federal programs (water resource projects, highway construction, open space grants, ACP and ASCS programs, Federal Aid to Fish and Federal Aid to Wildlife, etc.), financing and budgeting policy in the public land field is notably devoid of requirements for cost-sharing. Yet there are a number of program areas where the circumstances are well suited to a balancing of the responsibilities for financing on the basis of the benefits derived from Federal public land programs by states or local governments or by private individuals.

This alternative would provide that the Federal Government and state or local governments or the Federal Government and private individuals share in the costs according to an established formula of programs that clearly are in the interests of both parties. As examples, this would include the following: (a) sharing financing by Federal and local Governments of maintenance of access roads and other public highways on public lands; (b) sharing financing by the Federal Government and grazing permittees of investments in range improvements that benefit the permittee and the Federal Government; and (c) sharing financing by Federal and state Governments for wildlife habitat improvement and population control on public lands.

Advantages: This alternative would help to place the burden of programs on public lands on those who benefit from them or have jurisdiction over them. In the case of range investments, the Federal Government benefits broadly from erosion control, general improvement of the range, and improved wildlife conditions, while the permittee benefits from improved grazing. In the case of wildlife habitat programs, the states have jurisdiction over wildlife on public lands. An in the case of roads, state and local governments typically maintain roads on public lands although the Federal Government benefits broadly from their use. These appear to be appropriate cases for considering cost-sharing.

Cost-sharing would also tend to "spread" the Federal dollar further in accomplishing public land management objectives. It would provide a degree of leverage for accomplishing such objectives.

Disadvantages: There are no guidelines as to what constitutes an appropriate way of sharing costs. A proportion that might be applicable in one case may be quite inappropriate in another. Adoption of this alternative may also place an undue burden on non-Federal units of government at some times or may forestall needed expenditures because of a lack of private, state, or local financial capability, which would mean that no expenditures would be made even by the Federal Government on its lands.

The relationship between fees charged for the use of public lands and the determination of who should bear all or a part of the cost of improvements on the land is unclear in some public land situations. For example, low fees can in some cases be considered a trade-off for making certain investments. Thus a change in sharing the cost of improvements may require changes in the associated fee structure.

Alternative No. 38 - Restructure public land budget items on the basis of outputs or program results.

This proposal has been made many times in connection with the overall Federal budget and reflects a concern that Congress is not being provided with the best vehicle for making budgetary and appropriation decisions. The current budget for public land programs is structured around program line items, such as range management, that may involve multiple outputs. This alternative would require that the agencies develop budgets around program outputs, such as timber or forage for domestic livestock, and present them to Congress for action. The Planning, Programming, and Budgeting System (PPBS) now employed by the executive branch has developed a breakdown of budgetary classes along these lines, but it is used for internal analysis only and not for formal budget presentation and appropriation actions.

The intent of this alternative is to improve the presentation of information to the Congress as a basis for its decisions on appropriations.

Advantages: This method of structuring the budget would present information that is more appropriate for making decisions as to program levels. Both the Congress and the public would have a better idea of what is being bought with Federal program expenditures on the public lands.

Disadvantages: Considerable work has to be done to develop better output related classifications than those developed by PPBS analyses; the current ones are generally so broad that they in fact include several outputs. Because the market type goods produced on the public lands are more readily treated in an output classification than are the nonmarket type goods such as recreation, considerable care has to be taken to assure that the nonmarket type goods are treated equitably in the budget and appropriations process.

Alternative No. 39 - Establish statutory standards for all capital expenditures on public lands.

There is no consistent standard applied to expenditure of funds on public land programs as there is for Federal water development projects, which are required to have an estimated benefit-cost ratio of 1.0 or greater calculated on the basis of an established interest rate. The use of this or a generally similar standard would help to assure that Federal funds are not spent on public land programs unless these programs can be shown to produce benefits in excess of the program costs. Further, it would help to assure that all public land programs are given the same consideration.

This alternative would require that an investment standard for public land programs be established, but it would not necessarily have to be the same type of benefit-cost standard used for water projects. In fact, the benefit-cost approach, which is reasonably appropriate for one-time large investments, is not particularly appropriate as a standard for continuing programs for which funds are appropriated each year. A more appropriate standard might be one that would establish overall maximization of net economic and social returns calculated on the basis of an interest rate equal to the banks' prime rate where discounting is necessary.

The intent of this alternative is to improve the results obtained from the expenditure of Federal funds in public land programs.

Advantages: Establishment of a statutory investment standard would assure that expenditures on public land programs were given substantive consideration before they were made and that the best opportunities for spending Federal funds were chosen. It would improve the kind of information made available to Congress for making its decisions and provide the general public with assurance that their tax dollars were being spent effectively.

Disadvantages: Choosing an appropriate investment standard that is unambiguous and has operational meaning could be a problem. Of particular importance here is the problem of nonquantifiable benefits and costs. In analysis of Federal water projects, some very gross assumptions are made concerning, for example, the benefits accruing from recreation use. The foundation for such assumptions is oftentimes weak and the resulting analyses are open to real question. This is a very difficult problem to overcome and it is as important on public lands as on water development projects. An inappropriate standard given statutory blessing could permit, or even encourage, adoption of inappropriate levels of public land programs.

B. Budgetary Analysis Alternatives

Alternatives in this section deal generally with special analytical efforts made by the executive branch agencies whether specifically related to the formulation of a budget or not. Much of this analytical work is now being conducted under the Planning, Programming and Budgeting System (PPBS), which has developed as an adjunct to the budgeting process and has been used to support agency budget requests to the Bureau of the Budget in recent years.

Major questions have been raised as to who should be responsible for conducting special analyses, to whom should they be available, and how analytical effort should be allocated among problems. Resolution of these questions could result in a redirection of PPBS efforts by the Federal agencies or in the development of new points of focus for analysis of public land programs, perhaps involving a new Federal organization that would have responsibility for coordination of public land programs. (Such organizational matters were discussed in a previous section of this report).

Alternative No. 40 - Require Federal agencies to justify substantial increases in budgetary requests with "program memoranda" that are made available to the appropriations and legislative committees of Congress.

Program memoranda are the basic PPBS budget analyses that are used as backup for bureau and departmental budget requests at the present time. Currently the executive branch is using PPBS in an "across-the-board" fashion on most, if not all, public land programs and, therefore, program memoranda are developed for all public land programs each year. This alternative would allocate the PPBS effort to those portions of the programs where results of the analyses could have the most substantial impact in terms of affecting decisions on budgets or appropriations by emphasizing analyses of items with "substantial" increases in the budget. In addition, this alternative would require that such analyses be made available to the committees of Congress that are involved with legislation and appropriations for public land programs, which would be a change from present policy. PPBS materials have not been made available to Congress in the past.

The intent of this alternative is to improve the effectiveness of program analysis, particularly that related to budgets, by the Federal agencies.

Advantages: Budget analysis is now spread very thin and much of the available talent and effort is wasted on examining programs that are not going to be changed in any case. This alternative would, in effect, require a justification for analyzing a program before effort is expended on analysis. This is consistent with good governmental practices with respect to spending any public funds.

Congressional committee staffs also are generally spread thin and unable to conduct in-depth analyses of public land programs and budgets on their own. Making PPBS type analyses of the agencies available to the appropriate committees would give Congress some additional insight into the programs on which it must legislate.

Disadvantages: Many of the program areas for which budget analysis could reveal ways of making the expenditure of Federal funds more efficient are in on-going programs where there is little change in budget levels, other than perhaps a modest increase, from year to year. Concentrating all efforts only on areas where a substantial increase is to be made in the budget request would cause many good opportunities to be overlooked. Even if the prospects for gaining acceptance of analytical results are not good, it may be well to expand some of the available effort on these other opportunities.

Making agency analyses available to Congress may impair the ability of agency analytical staffs to deal candidly with programs that involve political considerations and could perhaps do away with the use of good analytical talent on important program and budget decisions. Agency program analysts have to consider, but be insulated from, political considerations if the analyses they prepare are to be most effective.

Alternative No. 41 - Require public land agencies to present a detailed analysis of each program and budget item to Congress and to the Bureau of the Budget at 5-year intervals.

This alternative would require the public land agencies to provide a recurring substantive analysis of each program area in its jurisdiction on a schedule that would permit it to cover about 20 percent of its overall program each year. The analyses would include measures of cost effectiveness for each item, would show the effects of both decreases and increases in the size of each item, and would indicate whatever justifications exist for the current size of programs. To some extent, this is now done as part of the annual budget presentation. However, covering only a part of the agency's programs each year would permit greater depth of analysis and providing the detailed results to Congress, as well as to the Bureau of the Budget, would automatically give Congress more detailed information than it now gets in support of budget items.

Advantages: This alternative would require that the public land agencies conduct in-depth program and budget analyses, which are conducted now at the agency's discretion, if at all. It would also focus the efforts of the agencies on only a part of their overall programs each year, thus permitting in-depth analysis. At present, the efforts of this sort by the agencies are so spread out by the apparent need to justify all programs each year that the analyses are in fact superficial.

Requiring that this information be provided to Congress would give it much more information on a regular basis than it now gets from the agencies in response to specific inquiries.

Disadvantages: It may be naive to expect that public land agencies, or any other Federal agencies, will take a hard-nosed, uncommitted look at their existing program structure, even if so required by statute. Thus, program and budget analyses of the type contemplated in this alternative may never be conducted in the depth that would provide Congress or the Bureau of the Budget with the kind of information that could lead to real improvements in budget allocations. Further, requiring that agency analyses be provided to Congress could in one sense further militate against the agencies taking a candid look at their programs and in another sense provide a source of embarrassment to the Congress by forcing it to recognize problems in programs that involve strong political commitments.

Alternative No. 42 - Establish an independent unit for the conduct of program and budget analyses.

This alternative would provide for a Federal organization independent of the public land agencies or for a non-Federal organization supported by Federal funds whose task in either case would be to conduct program and budget analyses for public land programs. In the case of a Federal organization, program and budget analysis could be one of the functions assigned to a Public Lands Council or other independent organization, which were discussed earlier in this report, or it could be assigned to a special unit whose sole task would consist of analysis. In the case of a non-Federal organization with Federal financing, a parallel organization to the Rand Corporation or the Institute for Defense Analyses, which largely serve the Department of Defense, could be established for public land programs.

Regardless of the form of organization that is adopted, program and budget analyses could be done on request or at the volition of the organization itself. For example, Congress or the Bureau of the Budget could request that certain studies be conducted in the case of a Federal organization or they could contract for certain studies if a non-Federal organization were established. This type of arrangement would permit the Congress particularly to pick and choose among the programs on which it wished to have additional information. But the independent organization could also have a general assignment and financing to conduct program analyses on a continuing basis and make them available to the public land agencies, the BOB, or the Congress.

The intent of this alternative is to separate program and budget analysis from the agencies that are responsible for conduct of programs that are analyzed.

Advantages: Separation of analysis from program operation would permit a look at all programs with a lack of commitment to any of them and thereby would tend to eliminate biases on the part of the analysts. Centralizing this function for public lands would also lead to interagency comparisons and permit the independent organizations to assemble the best available analytical talent, which is in very short supply.

Having the analysis organization in a position where it could respond to requests from or perform contract studies for Congress would allow the Congress to choose the program areas for which it felt analyses were required without committing it to the results of analyses sponsored by Congress in sensitive or controversial areas, which in a sense would be the case if analyses were done by congressional staffs. On the other hand, an independent agency could also do work in areas it feels are important and leave it to the agencies, Congress, or the Bureau of the Budget to deal with the results as they see fit. The public would thus be provided with the benefits of a substantially independent view of public land programs while the Congress would have available to it an organization capable of doing "staff work" without substantially expanding committee staffs.

Assigning this analytical function to a Public Lands Council or another independent agency with other responsibilities could compromise the analytical efforts because of the involvement of the agency in coordination of public land programs. A wholly independent organization whose sole function is analysis would avoid this problem.

Disadvantages: Removing all program and budget analysis from the public land agencies and placing it in an independent organization could separate analysis from the realities of the programs and their problems, although it would perhaps also force the public land agencies to be more critical of their own programs. With respect to the argument that this alternative would give Congress a group on which it could rely for analyses of public land programs, the Congress already has available the Legislative Reference Service of the Library of Congress.

CONGRESSIONAL CHANGE ALTERNATIVES

The alternatives in this section deal primarily with the responsibilities of congressional committees with respect to public land programs. Some of the problems of agency organization have equivalent roots in congressional committee structure and cannot be solved effectively without some change in the responsibilities of congressional committees. These alternatives do not go to the matter of wholesale congressional reorganization, but rather deal with the limited area of congressional operation related to public land programs.

> Alternative No. 43 - Place responsibility for all public land programs under a single committee (e.g., transfer responsibility for Forest Service programs from the Agriculture and Forestry Committee to the Interior and Insular Affairs Committee).

This alternative would consolidate under a single committee in each House of Congress (the Interior and Insular Affairs Committee) all of the legislative responsibilities for public land programs. The major shifts would be to change committee responsibilities for some national forest programs involving acquired lands from the Agriculture and Forestry Committee in the Senate and the Agriculture Committee in the House to the Interior and Insular Affairs Committees and responsibility for wildlife refuge programs from the Commerce Committee in the Senate and Merchant Marine and Fisheries Committee in the House to the Interior and Insular Affairs Committees.

The intent of this alternative is to eliminate the problem of multiple jurisdiction over similar legislative matters and to consolidate similar legislative matters in a single committee.

Advantages: Adoption of this alternative would assure that all public land programs get the same degree and kind of attention in Congress and that there is consistent policy making for similar public land programs. It would preclude the possibility of "whip-sawing" and "shopping around" for a committee that can be expected to give favorable consideration to a piece of legislation in cases where there is multiple jurisdiction. It would also provide for the more orderly conduct of legislative business by clarifying the role of each committee, which in the case of legislation for the national forests is not clear.

Disadvantages: There are no apparent disadvantages to this alternative other than those associated with changes in responsibilities of particular Congressmen. The relationship of the national forest and wildlife refuge programs to the overall programs of the committees to which they are now assigned is not strong enough to suggest that a change would be disadvantageous.

Alternative No. 44 - Merge the public land functions of the Interior and Appropriations Committees under a single committee.

This alternative would combine under the jurisdiction of a single committee the legislative and appropriation functions of the existing Interior and Appropriations Committees with respect to public land matters only. This proposal deals, however, with the very foundations of congressional organization and can hardly be viewed independently of the general relationship between the legislative and appropriation functions. While the alternative goes only to the matter of combining the legislative and appropriations function for public land programs, such a change would imply a more general change within the Congress as a whole.

The intent of this alternative is to eliminate the problem of having the intent of Congress as expressed through actions based in the legislative committees changed or modified through actions based on the Appropriations Committees and to require the simultaneous consideration in one place of policies and the means of carrying out the policies.

Advantages: Adoption of this alternative would make it possible for Congress to consider at one time public land policies, the programs for implementing them, and the supporting budgets and appropriations for these programs. To some extent, the regional representation of the Interior and Appropriations Committees is quite different. Thus, the kind of interests and understanding of a piece of legislation for the public lands are likely to be quite different when the legislation reaches the stage of being implemented through the actions of the Appropriations Committee. Such differences can result in the intent of the legislation being frustrated or substantially modified in its application.

This alternative, if applied broadly to other program areas in Congress, has a potential for reducing the workload of Congress. The legislative committees now must keep abreast of the programs of agencies under their jurisdiction in order to conduct effectively their legislative oversight function. The basis for appropriation hearings by the Congress is a review of agency programs, although typically this information is provided only in a considerably more general manner than that available to and obtained by the legislative committees because the Appropriations Committees are spread very thin over the whole program of the Federal Government. Combining the legislative and appropriation functions would eliminate duplication of effort in reviewing agency programs. It would also tend to provide for more in-depth consideration of appropriations because more time would be available to obtain a more thorough knowledge of programs.

Disadvantages: A major disadvantage of the alternative is that it proposes a change in only one program area, but would actually require a fundamental change in the organization of Congress. This change would eliminate the dual consideration now given to agency programs through the action of two sets of committees. And to the extent that the legislative and appropriations committees represent different points of view on particular program areas, it would eliminate an existing check within Congress on the influence of a particular viewpoint.

The Appropriations Committee also works within some overall budgetary constraints imposed by the requirements of fiscal policy. To divide consideration of appropriations among several committees would remove some of the coordination of this restraint that the Appropriations Committee now exercises when it views appropriations in terms of the fiscal policy needs of the country.

Alternative No. 45 - Increase the **size** of committee staffs for public land matters.

It has been suggested that one of the important problems Congress has in meeting its ever-increasing workload is the lack of depth in its staff capabilities. This limits the ability of the committees to conduct special studies and analyses of agency programs. This alternative proposes no legislation, but rather is simply a suggestion that the staff capabilities of the committees dealing with public land programs be increased.

Advantages: This alternative would enable Congress to deal in more depth with agency programs and with public lands legislation. To the extent that Congress wished to do so, it would enable it to exert a greater degree of oversight and control of agency programs than is now possible.

Disadvantages: There are no apparent disadvantages to this alternative.